

Changes to legislation: There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Cross Heading: The Environmental Protection Act 1990 (c.43). (See end of Document for details)

SCHEDULE 13

MINOR AND CONSEQUENTIAL AMENDMENTS

The Environmental Protection Act 1990 (c.43)

167 (1) The Environmental Protection Act 1990 shall be amended in accordance with this paragraph.

^{F1}(2)

(3) In section 30 (authorities for purposes of Part II), in each of subsections ^{F2}... (2)(g) and (3)(c), for “an islands or district council” substitute “ a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ”.

^{F1}(4)

^{F1}(5)

(6) In section 45(10) (application to Scotland of certain sections of the 1968 Act for purposes connected with the collection of controlled waste), for paragraphs (a) and (b) substitute—

- “(a) the said section 2 conferred a power on a waste collection authority rather than a duty on a sewerage authority;
- (b) in the said section 3—
 - (i) references to a sewerage authority were references to a waste collection authority; and
 - (ii) in references to public sewers and public sewage works the word “public” were omitted;
- (c) in the said section 4, the reference to a sewerage authority were a reference to a waste collection authority and the words from “by virtue” to the end were omitted; and
- (d) in the said section 41, the reference to a sewerage authority were a reference to a waste collection authority.”.

^{F1}(7)

(8) In section 53 (duties of authorities as respects disposal of waste collected: Scotland)

- (a) in subsection (4)—
 - (i) the words “(other than an islands council)” shall cease to have effect; and
 - (ii) in paragraphs (a) and (b), for “regional council”, wherever it occurs, substitute “ Sewerage authority ”;
- (b) in subsection (5)—
 - (i) for “regional council”, in both places where it occurs, substitute “ sewerage authority ”; and
 - (ii) for “council”, where it thirdly occurs, substitute “ sewerage authority ”; and

^{F3}(c)

^{F1}(9)

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- (10) In section 86 (preliminary provisions relating to litter)—
- (a) in subsection (3), for paragraphs (a) and (b) substitute—
 - “(a) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994”; and
 - (b) in subsection (10)—
 - (i) for “its” substitute “their”; and
 - (ii) for the words from “the district” to the end substitute “the council constituted under section 2 of the Local Government etc. (Scotland) Act 1994”.
- (11) In section 88(9) (“litter authorities” for purposes of section)—
- (a) in paragraph (a), the words “, a regional council”; and
 - (b) in paragraph (b), the words “, regional council”,
- shall cease to have effect.
- (12) In section 90(3) (power to designate litter control areas), the words “, regional council” shall cease to have effect.
- (13) In section 92(1) (summary proceedings by litter authorities), the words “, regional council” shall cease to have effect.
- (14) In section 93(1) (street litter control notices), the words “, regional council” shall cease to have effect.
- (15) In section 95(1) (public registers), the words “, regional council” shall cease to have effect.
- (16) In section 99(5)(e) (local authority in Scotland having powers in relation to abandoned trolleys), for “an islands or district council” substitute “a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994”.
- (17) In section 149(11) (seizure of stray dogs: interpretation), in the definition of “local authority”, for “an islands or district council” substitute “a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994”.

Textual Amendments

- F1** Sch. 13 para. 167(2)(4)(5)(7)(9) repealed (1.2.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3(7)**
- F2** Words in Sch. 13 para. 167(3) repealed (1.2.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3(7)**
- F3** Sch. 13 para. 167(8)(c) repealed (1.4.2002) by 2002 asp 3, s. 71, **Sch. 7 para. 23(g)(xiii)** (with s. 67); S.S.I. 2002/118, **art. 2(3)**

Commencement Information

- II** Sch. 13 para. 167 partly in force; Sch. 13 para. 167 not in force at Royal Assent see s. 184(2); Sch. 13 para. 167(1)(3)(6)(8)(10)-(17) in force at 1.4.1996 by S.I. 1996/323, **art. 4(1)(c)**

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