



# Control of Pollution Act 1974

## 1974 CHAPTER 40

### PART V

#### SUPPLEMENTARY PROVISIONS

##### *Financial provisions*

#### **89 Expenses and receipts of Secretary of State etc.**

- (1) There shall be paid out of money provided by Parliament—
  - (a) Any expenses incurred by the Secretary of State for the purposes of this Act; and
  - (b) Any increase attributable to the provisions of this Act in the sums payable under any other Act out of money so provided.
- (2) Any sums received by the Secretary of State by virtue of this Act shall be paid into the Consolidated Fund.

#### **<sup>F1</sup>90 Establishment charges and interest in respect of certain expenses of authorities.**

- <sup>F2</sup>(1) .....
- (2) [<sup>F3</sup>Where a sum is payable to a] relevant authority by any person by virtue of this Act in respect of the expenses incurred by the authority or by virtue of section 36 of the <sup>M1</sup>Local Government Act 1974 in respect of establishment charges related to such expenses or by virtue of section 193 of the <sup>M2</sup>Local Government (Scotland) Act 1947 in respect of general expenses related to such expenses, then—
  - (a) the authority and that person may agree that the sum <sup>F4</sup>... shall be paid in instalments; and
  - (b) the authority shall be entitled to receive from that person interest on the sum <sup>F4</sup>... , or on such portion of it as is for the time being unpaid, at [<sup>F5</sup>such reasonable rate or rates as the authority may determine].

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*Changes to legislation: There are currently no known outstanding effects for the Control of Pollution Act 1974, Cross Heading: Financial provisions. (See end of Document for details)*

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- (3) In the application of this section to Scotland, for the references to a water authority there shall be substituted references to [F6SEPA].

#### Textual Amendments

- F1** S. 90 repealed (S.) (30.6.2014) by [Regulatory Reform \(Scotland\) Act 2014 \(asp 3\)](#), s. 61(2), **Sch. 3 para. 16(2)(s)**; S.S.I. 2014/160, art. 2(1)(2), Sch.
- F2** S. 90(1) repealed (E.W.) by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I**
- F3** Words commencing “Where a sum” substituted (E.W.) for words commencing “Where such a sum” by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 25 para. 48(9), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**
- F4** Words repealed (E.W.) by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I**
- F5** Words substituted by [Local Government Planning and Land Act 1980 \(c. 65\)](#), s. 1(2), **Sch. 2 para. 17**
- F6** Words in s. 90(3) substituted (1.4.1996) by [1995 c. 25](#), s. 120(1), **Sch. 22 para. 29(30)** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**

#### Marginal Citations

- M1** 1974 c. 7.
- M2** 1947 c. 43.

**Changes to legislation:**

There are currently no known outstanding effects for the Control of Pollution Act 1974, Cross  
Heading: Financial provisions.