



# Environmental Protection Act 1990

## 1990 CHAPTER 43

### PART IX

#### GENERAL

#### **156 Power to give effect to <sup>F1</sup><sup>F2</sup>assimilated] obligations and] international obligations etc.**

- (1) The Secretary of State may by regulations provide that the provisions to which this section applies shall have effect with such modifications as may be prescribed for the purpose of enabling Her Majesty's Government in the United Kingdom—
  - (a) to give effect to any <sup>F3</sup><sup>F4</sup>assimilated] obligation] or exercise any related right; or
  - (b) to give effect to any obligation or exercise any related right under any international agreement to which the United Kingdom is for the time being a party.
- (2) This section applies to the following provisions of this Act—
  - (a) Part I;
  - (b) Part II;
  - (c) Part VI; and
  - (d) in Part VIII, sections 140, 141 or 142<sup>F5</sup>; and the provisions of the <sup>F6</sup>the <sup>F7</sup>Radioactive Substances Act 1993<sup>F7</sup>Environmental Authorisations (Scotland) Regulations 2018<sup>F7</sup>]].
- (3) In this section—
  - “modifications” includes additions, alterations and omissions;
  - “prescribed” means prescribed in regulations under this section; and
  - “related right”, in relation to an obligation, includes any derogation or other right to make more onerous provisions available in respect of that obligation.
- (4) This section, in its application to Northern Ireland, has effect subject to the following modifications, that is to say—

**Changes to legislation:** Environmental Protection Act 1990, Section 156 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) in its application in relation to Part VI and sections 140, 141, and 142, the reference to Her Majesty’s Government in the United Kingdom includes a reference to Her Majesty’s Government in Northern Ireland; and
- (b) in its application in relation to the Radioactive Substances Act 1960, the reference to the Secretary of State shall be construed as a reference to the Department of the Environment for Northern Ireland and the reference to Her Majesty’s Government in the United Kingdom shall be construed as a reference to Her Majesty’s Government in Northern Ireland;

and regulations under it made by that Department shall be a statutory rule for the purposes of the <sup>M1</sup>Statutory Rules (Northern Ireland) Order 1979 and shall be subject to negative resolution within the meaning of section 41(6) of the <sup>M2</sup>Interpretation Act (Northern Ireland) 1954.

#### Textual Amendments

- F1** Words in s. 156 heading substituted (31.12.2020) by [The Environment \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/458\)](#), regs. 1(1), **2(8)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Word in s. 156 heading substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 29(8)**
- F3** Words in s. 156(1)(a) substituted (31.12.2020) by [The Environment \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/458\)](#), regs. 1(1), **2(8)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F4** Word in s. 156(1)(a) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), **Sch. para. 29(8)**
- F5** Words in s. 156(2) repealed (E.W.) (6.4.2010) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), regs. 1(1)(b), 107, 109(1), Sch. 26 para. 5(13), **Sch. 28** (with Sch. 4)
- F6** Words in s. 156(2) substituted (27.8.1993) by 1993 c. 12, ss. 49(1), 51(2), **Sch. 4 para.9** (with ss. 42, 46)
- F7** Words in s. 156(2) substituted (S.) (1.9.2018) by [The Environmental Authorisations \(Scotland\) Regulations 2018 \(S.S.I. 2018/219\)](#), reg. 1, **sch. 6 para. 2(4)** (with reg. 78, sch. 5 para. 2)

#### Commencement Information

- I1** S. 156 wholly in force at 1.4.1991 see s. 164(3) and S.I. 1991/1042, **art. 2**

#### Marginal Citations

- M1** S.I. 1979/1573 (N.I. 12).
- M2** 1954 c. 33 (N.I.).

**Changes to legislation:**

Environmental Protection Act 1990, Section 156 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 30(4A) inserted by [2021 c. 30 s. 57\(2\)](#)
- s. 33ZB(10A) inserted by [2021 c. 30 s. 69\(3\)\(b\)](#)
- s. 34ZB(8A) inserted by [2021 c. 30 s. 69\(5\)\(b\)](#)
- s. 45A-45AZG substituted for s. 45A by [2021 c. 30 s. 57\(4\)](#)
- s. 46(2)(a)(b) substituted for words by [2021 c. 30 s. 57\(5\)](#)
- s. 106A inserted by [2023 c. 6 s. 41\(2\)](#)
- s. 161(2AA)(2AB) inserted by [2016 anaw 3 s. 69\(4\)](#)