



Environmental Protection Act 1990

1990 CHAPTER 43

PART IX

GENERAL

164 Short title, commencement and extent.

- (1) This Act may be cited as the Environmental Protection Act 1990.
- (2) The following provisions of the Act shall come into force at the end of the period of two months beginning with the day on which it is passed, namely—
 - sections 79 to 85;
 - section 97;
 - section 99;
 - section 105 in so far as it relates to paragraphs 7, 13, 14 and 15 of Schedule 5;
 - section 140;
 - section 141;
 - section 142;
 - section 145;
 - section 146;
 - section 148;
 - section 153;
 - section 154;
 - section 155;
 - section 157;
 - section 160;
 - section 161;
 - section 162(1) in so far as it relates to paragraphs 4, 5, 7, 8, 9, 18, 22, 24 and 31(4)(b) of Schedule 15; but, in the case of paragraph 22, in so far only as that paragraph inserts a paragraph (m) into section 7(4) of the Act of 1984;

Changes to legislation: Environmental Protection Act 1990, Section 164 is up to date with all changes known to be in force on or before 19 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

section 162(2) in so far as it relates to Part III of Schedule 16 and, in Part IX of that Schedule, the repeal of section 100 of the ^{M1}Control of Pollution Act 1974;
 section 162(5);
 section 163.

(3) The remainder of this Act (except this section) shall come into force on such day as the Secretary of State may by order appoint and different days may be appointed for different provisions or different purposes.

(4) Only the following provisions of this Act (together with this section) extend to Northern Ireland, namely—

section 3(5) to (8);

section 62(2)(e) in so far as it relates to importation;

Part V;

^{F1} . . . , section 127(2) in so far as it relates to the continental shelf;

section 140 in so far as it relates to importation;

section 141;

section 142 in so far as it relates to importation;

section 146;

section 147;

section 148;

section 153 except subsection (1)(k) and (m);

section 156 in so far as it relates to Part VI and sections 140, 141 and 142 in so far as they extend to Northern Ireland and in so far as it relates to the ^{M2}Radioactive Substances Act 1960;

section 158 in so far as it relates to Part VI and sections 140, 141 and 142 in so far as they extend to Northern Ireland.

[^{F2}(4A) Sections 45A, 45B and 47A do not extend to Scotland.]

(5) Where any enactment amended or repealed by this Act extends to any part of the United Kingdom, the amendment or repeal extends to that part, subject, however, to any express provision in Schedule 15 or 16.

Subordinate Legislation Made

- P1** [S. 164\(3\)](#) power partly exercised by: [S.I. 1990/2226](#), 1990/2243, 1990/2565, 1990/2635, 1991/96
[S. 164\(3\)](#): s. 130(4) (with ss. 131(3) and 164(3)) power partly exercised: 1.4.1991 appointed for specified provisions by [S.I. 1991/685](#), [art. 3](#)
[S. 164\(3\)](#) power partly exercised : 1.4.1991 and 1.6.1991 appointed for specified provisions by [S.I. 1991/1042](#), [art. 2](#) and art. 3
[S. 164\(3\)](#) power partly exercised: 31.5.1991 appointed for specified provisions by [S.I. 1991/1319](#), [art. 2](#)
[S. 164\(3\)](#) power partly exercised: 10.7.1991 and 1.8.1991 appointed for specified provisions by [S.I. 1991/1577](#), [arts. 2, 3](#)
[S. 164\(3\)](#) power partly exercised: 13.12.1991, 1.1.1992 and 1.4.1992 appointed for specified provisions by [S.I. 1991/2829](#), [arts. 2, 3, 4](#)
[S. 164\(3\)](#) power partly exercised (13.2.1992): different dates appointed for specified provisions by [S.I. 1992/266](#), [arts. 2, 3](#)
[S. 164\(3\)](#) power partly exercised (18.12.1992): different dates appointed for specified provisions by [S.I. 1992/3253](#), [arts. 2, 3](#)

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S. 164(3) power partly exercised (15.2.1993): different dates appointed for specified provisions by [S.I. 1993/274](#), [arts. 2, 3](#)

S. 164(3) power partly exercised (15.3.1994): 16.3.1994 appointed for s. 41 by [S.I. 1994/780](#), [art. 2](#)

S. 164(3) power partly exercised (14.4.1994): 1.5.1994 (and other ascertainable dates for limited purposes) appointed for specified provisions by [S.I. 1994/1096](#), [arts. 2, 3](#) (amended by [S.I. 1994/2487](#), 1994/3234)

S. 164(3) power partly exercised (6.11.1994): 1.12.1994 (or certain later ascertainable dates for limited purposes) appointed for s. 162(2) by [S.I. 1994/2854](#), [art. 2](#)

S. 164(3) power partly exercised (10.8.1995): 11.8.1995 appointed for s. 62 by [S.I. 1995/2152](#), [art. 2](#)

S. 164(3) power partly exercised (28.11.1996): 16.12.1996 appointed for s. 162(2) for certain purposes by [S.I. 1996/3056](#), [art. 2](#)

Textual Amendments

F1 Words in [s. 164\(4\)](#) repealed (1.6.1994) by [S.I. 1991/1714](#) (N.I. 19), [art.25](#); [S.R. 1994/141](#), [art.2](#)

F2 [S. 164\(4A\)](#) inserted (E.W.) (30.12.2003) by [Household Waste Recycling Act 2003](#) (c. 29), [ss. 4, 5\(2\)](#)

Marginal Citations

M1 1974 c. 40.

M2 1960 c. 34.

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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\(4\)](#)