



Clean Air Act 1993

1993 CHAPTER 11

PART VI

SPECIAL CASES

41 Relation to Environmental Protection Act 1990.

[^{F1}(1) Parts I to III shall not apply to any process which is a prescribed process as from the date which is the determination date for that process.

(2) The “determination date” for a prescribed process is—

- (a) in the case of a process for which an authorisation is granted, the date on which the enforcing authority grants it, whether in pursuance of the application or, on an appeal, of a direction to grant it, and
- (b) in the case of a process for which an authorisation is refused, the date of the refusal or, on an appeal, of the affirmation of the refusal.

(3) In this section “authorisation”, “enforcing authority” and “prescribed process” have the meaning given in section 1 of the Environmental Protection Act 1990 and the reference to an appeal is a reference to an appeal under section 15 of that Act.]

Textual Amendments

- F1** S. 41 repealed (1.4.2015 for S.) by [Pollution Prevention and Control Act 1999 \(c. 24\), s. 7\(3\), Sch. 3](#); [S.S.I. 2015/74, art. 2\(2\)\(d\)](#)

Changes to legislation:

Clean Air Act 1993, Section 41 is up to date with all changes known to be in force on or before 02 February 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.

[View outstanding changes](#)

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. 16(4A)(4B) inserted by [S.I. 2023/908 reg. 16](#)
- s. 20(5D)-(5F) inserted by [2021 c. 30 Sch. 12 para. 10\(2\)](#)
- s. 21(4A)-(4D) inserted by [2021 c. 30 Sch. 12 para. 11\(2\)](#)