

*Status: Point in time view as at 01/04/2002.*

**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.

<sup>F1</sup>(2) .....

(3) In section 30 (authorities for purposes of Part II), in each of subsections <sup>F2</sup> . . . (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 ”.

<sup>F1</sup>(4) .....

<sup>F1</sup>(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.”.

<sup>F1</sup>(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

<sup>F3</sup>(c) .....

<sup>F1</sup>(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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