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**Changes to legislation:** Environment Act 1995, Paragraph 6 is up to date with all changes known to be in force on or before 07 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

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## SCHEDULES

### SCHEDULE 17

#### STATUTORY NUISANCES: SCOTLAND

##### *Amendments of the Environmental Protection Act 1990*

- 6 In section 82 (proceedings by persons aggrieved)—
- (a) in subsection (1) after the word “complaint” there shall be inserted the words “or, in Scotland, the sheriff may act under this section on a summary application,”;
  - (b) in subsection (2)—
    - (i) after the words “magistrate’s court” there shall be inserted the words “or, in Scotland, the sheriff”;
    - (ii) after the word “street” there shall be inserted the words “or, in Scotland, road”;
    - (iii) after the words “the court” there shall be inserted the words “or the sheriff”;
    - (iv) in paragraph (a) after the word “defendant” there shall be inserted the words “or, in Scotland, defender”;
    - (v) in paragraph (b) after the word “defendant” there shall be inserted the words “or defender”;
    - (vi) after the word “and” where it third occurs there shall be inserted the words “, in England and Wales,”;
  - (c) in subsection (3), after the words “magistrate’s court” there shall be inserted the words “or the sheriff” and after the words “of the court” in both places where they occur there shall be inserted the words “or of the sheriff”;
  - (d) in subsection (11), after the words “magistrate’s court” there shall be inserted the words “or the sheriff”;
  - (e) in subsection (12) after the word “complaint” there shall be inserted the words “or summary application”, after the words “the court” in both places where they occur there shall be inserted the words “or the sheriff” and for the words “defendant (or defendants)” there shall be substituted the words “defendant or defender (or defendants or defenders)”;
  - (f) in subsection (13), after the words “magistrate’s court” there shall be inserted the words “or to the sheriff” and after the words “the court” in both place where they occur there shall be inserted the words “or the sheriff”.

**Changes to legislation:**

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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. 41(1)(s) inserted by [2021 c. 30 s. 57\(8\)](#)
- s. 80(8) inserted by [2024 asc 2 s. 12\(1\)](#)
- s. 80(9)(10) inserted by [2024 asc 2 s. 13](#)
- s. 81B inserted by [2024 asc 2 s. 14\(1\)](#)
- s. 82(1A) inserted by [2024 asc 2 s. 16\(3\)](#)
- s. 83B inserted by [2024 asc 2 s. 17\(1\)](#)
- s. 85(3)(e)(f) inserted by [2024 asc 2 s. 18\(b\)](#)
- s. 87(2)(o)(i) words in s. 87(2)(o) renumbered as s. 87(2)(o)(i) by [2024 asc 2 s. 24\(2\)\(a\)\(i\)](#)
- s. 87(2)(o)(ii) and word inserted by [2024 asc 2 s. 24\(2\)\(a\)\(ii\)](#)
- s. 87(2B) inserted by [2024 asc 2 s. 24\(2\)\(b\)](#)
- s. 87(7A)(7B) inserted by [2024 asc 2 s. 15](#)
- s. 87(9A) inserted by [2024 asc 2 s. 12\(2\)](#)
- s. 88(4)(5) inserted by [2024 asc 2 s. 14\(3\)\(b\)](#)
- Sch. 7 para. 7(4A)(4B) inserted by [2007 c. 28 Sch. 14 para. 4\(3\)](#)