

*These notes refer to the Clean Neighbourhoods and Environment Act 2005 (c.16) which received Royal Assent on 7 April 2005*

# **CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### *Commentary on Sections*

#### **Part 5: Waste**

#### *Chapter 1: Transport of Waste*

#### *Section 35 Unregistered transportation: defence of acting under employer's instructions*

126. Under section 1 of the Control of Pollution (Amendment) Act 1989, it is an offence for anyone who is not a registered carrier of controlled waste to transport such waste within Great Britain in the course of any business of his or otherwise with a view to profit. Controlled waste is defined as household, industrial and commercial waste.
127. [Section 35\(1\)](#) amends section 1 of the Control of Pollution (Amendment) Act 1989 so as to remove the defence (at section 1(4)(c)) of acting under one's employer's instructions.