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STATUTORY INSTRUMENTS

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**1993 No. 274 (C.7) (S.22)**

**ENVIRONMENTAL PROTECTION**  
TOWN AND COUNTRY PLANNING, SCOTLAND

The Environmental Protection Act 1990  
(Commencement No. 13) Order 1993

Made - - - - 15th February 1993

The Secretary of State, in exercise of the powers conferred on him by section 164(3) of the Environmental Protection Act 1990(1) and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Environmental Protection Act 1990 (Commencement No. 13) Order 1993.

(2) In this Order “the 1990 Act” means the Environmental Protection Act 1990.

**Provisions coming into force on 18th February 1993**

2.—(1) The following provisions of the 1990 Act shall come into force on 18th February 1993—

section 35(1);

section 36(1);

section 39(3);

section 40(3);

section 41(2), (4) and (5);

section 43(8);

section 54(14);

section 63(1);

section 64(1), (4) and (8);

section 74(6);

section 144 insofar as it relates to paragraphs 11 and 12 of Schedule 13, Part II;

section 162(1) insofar as it relates to paragraph 21 of Schedule 15;

section 162(2) insofar as it relates to the following repeals in Schedule 16—

in Part VII, the repeals relating to the Town and Country Planning (Scotland) Act 1972<sup>(2)</sup>;

in Part IX, the repeals relating to the Criminal Justice Act 1982<sup>(3)</sup> and the Criminal Justice Act 1988<sup>(4)</sup>.

(2) The following provisions of the 1990 Act shall come into force on 18th February 1993 but only insofar as they enable the Secretary of State to give directions—

section 37(3);

section 38(7);

section 42(8);

section 65(2); and

section 66(7).

### **Provisions coming into force on 1st May 1993**

3. The following provisions of the 1990 Act shall come into force on 1st May 1993—

section 144 insofar as it relates to paragraph 13 of Schedule 13, Part II; and

section 162(2) insofar as it relates to the repeal in the Housing and Planning Act 1986<sup>(5)</sup> detailed in Schedule 16, Part VII.

St Andrew's House, Edinburgh  
15th February 1993

*Allan Stewart*  
Parliamentary Under Secretary of State, Scottish  
Office

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(2) 1972 c. 52.  
(3) 1982 c. 48.  
(4) 1988 c. 33.  
(5) 1986 c. 63.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force certain provisions of the Environmental Protection Act 1990 (“the 1990 Act”).

Article 2 brings into force on 18th February 1993 provisions of Part II of the 1990 Act enabling the Secretary of State to make regulations for various purposes in connection with the waste management licensing system under that Part of the 1990 Act.

Article 2 also brings into force section 144 of the 1990 Act, insofar as it relates to amendments detailed in Schedule 13 Part II, paragraphs 11 and 12, associated with hazardous substances legislation in Scotland, and section 162 of the 1990 Act insofar as it relates to repeals detailed in Schedule 15 and Schedule 16 Parts VII and IX concerning Local Government legislation and, in Scotland, hazardous substances legislation.

Article 2 also brings into force certain provisions in Part II of the 1990 Act but only to the extent of enabling the Secretary of State to issue Directions.

Article 3 brings into force on 1st May 1993 sections 144 and 162(2) of the 1990 Act insofar as they relate to an amendment to section 87 of the Local Government, Planning and Land Act 1980, and a repeal in Schedule 7 to the Housing and Planning Act 1986.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Environmental Protection Act 1990 have been brought into force by commencement orders made before the date of this Order:

| Provision   | Date of Commencement | S.I. No.                  |
|---|----------------------|---------------------------|
| ss.128 to 139 (save for the amendments made by ss.128, 130 and 132)   | 5 November 1990      | <a href="#">1990/2226</a> |
| s.89(7) to (9) and (11) to (13)   | 13 November 1990     | <a href="#">1990/2243</a> |
| s.105 (partially)   | 7 December 1990      | <a href="#">1990/2565</a> |
| s.3   | 19 December 1990     | <a href="#">1990/2635</a> |
| ss.1, 2, 4 to 28, 100 to 104, 105 (partially), 159 and 162(2) (partially)   | 1 January 1991       | <a href="#">1990/2635</a> |
| ss.86(2), (6) to (8), (11), (14) and (15), 88(5), (7) and (9) (b), 89(4), 90(1), (2) and (7), 94(1) and (2), 96(2) and (3) and 162(1) (partially) | 14 January 1991      | <a href="#">1991/96</a>   |
| ss.86(1), (4), (5), (9) and (13), 87(1), (2), (3)(a) to (e) and (4)   | 13 February 1991     | <a href="#">1991/96</a>   |

| Provision  | Date of Commencement | S.I. No.                  |
|--|----------------------|---------------------------|
| to (6), 88(1) to (4), (6), (8), (9)(a) and (c) to (e) and (10), 98(1), (2), (5) and (6) (all for England and Wales only)   |                      |                           |
| the amendments made by ss.128, 139 and 132, s.162(2) (partially)   | 1 April 1991         | <a href="#">1991/685</a>  |
| ss.86(3) and (10), 87(7), 89(1) (a) to (f), (2), (3), (5), (6), (10) and (14), 91(1)(a) to (f), (2) to (13), 92(1)(a) to (c), (2) to (10), 93, 94(3) to (9), 95, 96(1), 98(3) and (4), 106(4) and (5), 107(8), 108(1)(b), (3) (b), (5), (7) and (9), 111(1), (2), (4), (5), (7) and (11), 113, 114(1) to (3), 115(4), 122(1) (partially) and (4), 123(7) and (9), 124 to 126, 156, 158, 162(1) and (2) (partially) | 1 April 1991         | <a href="#">1991/1042</a> |
| ss.86(1), (4), (5) and (13), 87(1), (2), (3)(a) to (e) and (4) to (6), 88(1) to (4), (6), (8), (9)(a), (c) and (d) and (10) and 98(1), (5) and (6) (all for Scotland only)   | 1 April 1991         | <a href="#">1991/1042</a> |
| ss.29 to 32, 50, 51, 60 (partially), 68, 71, 72, 75, 77, 147, 162(1) and (2) (partially)   | 31 May 1991          | <a href="#">1991/1319</a> |
| ss.86(12), 87(3)(f), 89(1)(g), 90(3) to (6), 91(1)(g) and 92(1) (d)  | 1 June 1991          | <a href="#">1991/1042</a> |
| s.152  | 10 July 1991         | <a href="#">1991/1577</a> |
| s.49   | 1 August 1991        | <a href="#">1991/1577</a> |
| ss.33(3) and (4), 34 (5), (7) to (9) and (11), 52(8) (partially) and 78  | 13 December 1991     | <a href="#">1991/2829</a> |
| ss.144 (partially) and 162(2) (partially)  | 1 January 1992       | <a href="#">1991/2829</a> |
| ss.33(1)(c), 33(2) and (6) to (9) (partially), 34, 69, 70 and 162(1) and (2) (partially)   | 1 April 1992         | <a href="#">1991/2829</a> |
| ss.45, 149 to 151 (partially), and ss.143(1),(5) and (6) (so far as they extend to England and Wales)  | 14 February 1992     | <a href="#">1992/266</a>  |

| Provision  | Date of Commencement | S.I. No.                  |
|--|----------------------|---------------------------|
| ss.45(1), (3) to (12), (2) (so far as it extends to Scotland), 46, 47, 48(1) to (6), (8) and (9), 52(1), (3) to (7) and (9) to (11), 53, 55, 56, 73(1) to (5), 149 to 151 (insofar as not already in force), 162(1) (partially), 162(2) (partially) and 162(3)   | 1 April 1992         | <a href="#">1992/266</a>  |
| s.108(10)  | 1 January 1993       | <a href="#">1992/3253</a> |
| ss.106(1) to (3), (6) and (7), 107(1) to (7) and (9) to (11), 108(1)(a) (partially), 110 (partially), 111(6),(6A) and (8) to (10), 112(1), (2) and (5) to (7), 114(4) and (5), 115(1) to (3) and (5) to (10), 116 (partially), 117, 118(1)(a),(c), (e) to (1), (m) (partially), (n) and (o) and (2) to (10), 119 to 121, 122(1)(c) to (h) (insofar as not already in force), (2) and (3), 123(1) to (6) and (8) and 127. | 1 February 1993      | <a href="#">1992/3253</a> |

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