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STATUTORY INSTRUMENTS

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**1996 No. 2909**

**The Environment Act 1995 (Commencement  
No. 8 and Saving Provisions) Order 1996**

**Saving provisions**

4.—(1) Nothing in this Order shall affect—

(a) the application of—

(i) paragraphs 1 to 5 of Schedule 10 to the Water Resources Act 1991 as originally enacted or as modified by the Control of Pollution (Discharges by the National Rivers Authority) Regulations 1989(1); and

(ii) regulations 2 to 6 of the Control of Pollution (Consents for Discharges etc.) (Secretary of State Functions) Regulations 1989(2),

in relation to any application made under paragraph 1 of that Schedule (applications for discharge consents) before 31st December 1996 or any consent given under paragraph 5 of that Schedule (discharge consents granted without applications) before that date;

(b) the application of section 91 of the Water Resources Act 1991 as originally enacted (appeals in respect of consents under Chapter II of Part III of that Act), and regulations 2 and 7 of the Control of Pollution (Consents for Discharges etc.) (Secretary of State Functions) Regulations 1989, in relation to any appeal under that section made in relation to a decision taken before 31st December 1996;

(c) the power to amend or revoke any of the regulations mentioned in sub-paragraph (a) or (b) above.

(2) Paragraph (1)(a) above shall not apply in relation to an application made under paragraph 1 of Schedule 10 to the Water Resources Act 1991 before 31st December 1996 if—

(a) the application relates to discharges of a kind which the applicant, or a predecessor of his, was authorised to make by virtue of a consent to which paragraph 21 of Schedule 23 to the Environment Act 1995 (transitional provisions in relation to discharge consents) applied; and

(b) notice in accordance with sub-paragraph (2)(b)(ii) of that paragraph was not given by him or his predecessor.

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(1) S.I. 1989/1157; relevant amendments were made by paragraph 1(3) of Schedule 2 to the Water Consolidation (Consequential Provisions) Act 1991 (c. 60) and paragraph 233 of Schedule 22 to the Environment Act 1995 (c. 25).

(2) S.I. 1989/1151; see previous footnote for relevant amendments.