
STATUTORY INSTRUMENTS

2004 No. 3320 (C.152)

ENVIRONMENTAL PROTECTION

**The Waste and Emissions Trading Act 2003
(Commencement No. 1) (Great Britain) Order 2004**

Made - - - - 13th December 2004

The Secretary of State, in exercise of the powers conferred upon her by section 40(1) of the Waste and Emissions Trading Act 2003⁽¹⁾, makes the following Order:

Citation

1. This Order may be cited as the Waste And Emissions Trading Act 2003 (Commencement No. 1) (Great Britain) Order 2004.

Commencement

2. Sections 32(12) and 35(b) of the Waste and Emissions Trading Act 2003⁽²⁾ shall come into force on 1st January 2005.

Elliott Morley
Minister of State
Department for Environment, Food and Rural
Affairs

13th December 2004

(1) 2003 c. 33.

(2) By section 41(5) of the Act these sections extend only to England and Wales, and Scotland.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st January 2005 all the provisions of sections 32(12) and 35(b) of the Waste and Emissions Trading Act 2003 (“the Act”).

Part 1 of the Act makes provision, among other things, for waste management in England and for miscellaneous and supplementary matters.

Section 32(12) amends section 353 of the Greater London Authority Act 1999 (c. 29) so as to require the Mayor to have regard, in revising his municipal waste management strategy, to any joint waste management strategies which waste disposal and collection authorities in Greater London have for the purposes of section 32 of the Act.

Section 35(b) repeals sections 353(3) and 361 of the Greater London Authority Act 1999, which relate to section 49 of the Environmental Protection Act 1990 (c. 43) (collection authorities' waste recycling plans).

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

Whilst no commencement orders have previously been made in relation to England, Wales and Scotland, the following provisions of the Act are in force in England, Wales and Scotland by virtue of having been brought into force in the United Kingdom: sections 2 and 39 on 20th April 2004 by S.I.2004/1163 (C.49), sections 1 and 17 on 19th July 2004 by 2004/1874 (C.80), and section 3 on 3rd December 2004 by S.I. 2004/3192 (C.138). Sections 4, 5 and 10(1) came into force in England on 3rd December 2004, and sections 9 and 10(2) will come into force on 1st April 2005, by virtue of S.I. 2004/3181 (C.137). Sections 4, 5, 9, 10 and 35(a) were brought into force in relation to Wales on 25th June 2004 by S.I. 2004/1488 (W. 153) (C.58).

The Waste and Emissions Trading Act 2003 (Commencement No. 1) (England and Wales) Order 2004 (S.I. 2004/3319 (C.151)), made on the same day as this Order, brings section 31 into force on 1st January 2005 in relation to England and Wales, and the Waste and Emissions Trading Act 2003 (Commencement No. 2) (England) Order 2004 (S.I. 2004/3321 (C.153)), also made on the same day as this Order, brings section 35(a) into force in relation to England.