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STATUTORY INSTRUMENTS

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**2007 No. 3538**

The Environmental Permitting  
(England and Wales) Regulations 2007

PART 7

Miscellaneous and transitional provision, savings,  
consequential amendments, revocations and repeals

**Savings**

72.—(1) Notwithstanding their repeal or revocation by these Regulations, the provisions of the 1990 Act, the 2000 Regulations and the 1994 Regulations continue to have effect for the purposes of—

- (a) determining an application for the grant of a PPC permit or waste management licence which was outstanding at the relevant time;
- (b) giving effect to a notice served before the coming into force of these Regulations;
- (c) determining an appeal brought before the coming into force of these Regulations; and
- (d) bringing and determining an appeal, after the coming into force of these Regulations, in respect of—
  - (i) the determination of an application referred to in sub-paragraph (a), or
  - (ii) a notice served before the coming into force of these Regulations.

(2) The enactments repealed, revoked and amended by these Regulations continue to have effect until the determination date as if they had not been repealed, revoked or amended, for any purpose in connection with—

- (a) a transitional application; and
- (b) an operation to which such an application relates,

and these Regulations, other than this paragraph, do not apply for such a purpose until that date.

(3) Notwithstanding their repeal by these Regulations, the provisions of the 1990 Act continue to have effect for the purposes of paragraph 20 of Schedule 1 to the Pollution Prevention and Control Act 1999.

(4) Notwithstanding its revocation by these Regulations, paragraph 7 of Schedule 4 to the 1994 Regulations continues to have effect in relation to sections 12(3A), 31(3) and 36(3) of the Town and Country Planning Act 1990(1) to the extent that those provisions are saved by—

- (a) in England, article 4 of, and Schedule 2 to, the Planning and Compulsory Purchase Act 2004 (Commencement No. 2, Transitional Provisions and Savings) Order 2004(2);

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(1) 1990, c. 8. Section 12(3A) was inserted by the Planning and Compensation Act 1991 (c. 34), section 27 and Schedule 4.  
(2) S.I.2004/2202. Article 4 was amended by S.I. 2005/2085.

(b) in Wales, article 3 of, and Schedule 2 to, the Planning and Compulsory Purchase Act 2004 (Commencement No. 6, Transitional Provisions and Savings) Order 2005<sup>(3)</sup>.

(5) Notwithstanding its revocation by these Regulations, regulation 3 of the 1994 Regulations continues to have effect for the purposes of Schedule 5 to those Regulations.

(6) Notwithstanding the revocation of regulation 12(10) of the 2000 Regulations by these Regulations, any condition implied in a permit by that regulation continues to have effect when the permit becomes an environmental permit.

(7) Notwithstanding the revocation of regulation 44 of the End-of-Life Vehicles Regulations 2003<sup>(4)</sup> by these Regulations, any modification to a waste management licence made by that regulation continues to have effect when the licence becomes an environmental permit.

(8) Notwithstanding the revocation of regulation 5(1) of the Pet Cemeteries (England and Wales) Regulations 2007 by these Regulations, that regulation continues to have effect when a waste management licence to which it applies becomes an environmental permit.

(9) Notwithstanding their revocation by these Regulations, the amendments to enactments and other instruments made by the 1994 Regulations and the 2000 Regulations continue to have effect.

(10) In this regulation, “determination date”, in relation to a transitional application, has the meaning given in regulation 70(2) or 71(4), as the case may be.

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<sup>(3)</sup> S.I. [2005/2847 \(W. 118\)](#).

<sup>(4)</sup> S.I. [2003/2635](#), to which there are amendments not relevant to these Regulations.