
STATUTORY INSTRUMENTS

2015 No. 425

**The Clean Neighbourhoods and Environment
Act 2005 (Commencement No. 6 and
Saving) (England and Wales) Order 2015**

Citation, extent, application and interpretation

1.—(1) This Order may be cited as the Clean Neighbourhoods and Environment Act 2005 (Commencement No. 6 and Saving) (England and Wales) Order 2015.

(2) This Order extends to England and Wales.

(3) Article 2 applies to England only.

(4) Article 3 applies to Wales only.

(5) In this Order—

“the 1989 Act” means the Control of Pollution (Amendment) Act 1989⁽¹⁾;

“the 2005 Act” means the Clean Neighbourhoods and Environment Act 2005.

Commencement of provisions on the day after the day on which this Order is made: England

2. The following provisions of the 2005 Act come into force, for the purpose of making regulations and issuing guidance, on the day after the day on which this Order is made—

(a) section 37 (enforcement powers); and

(b) section 46⁽²⁾ (power to search and seize vehicles).

Commencement of provisions on the day after the day on which this Order is made: Wales

3. Part 9 of Schedule 5 to the 2005 Act (repeals: use of fixed penalty receipts), so far as not already in force, comes into force on the day after the day on which this Order is made.

Commencement of provisions on 6th April 2015

4.—(1) The following provisions of the 2005 Act come into force on 6th April 2015 so far as not already in force—

(a) section 37; and

(b) section 46.

(2) In Part 4 of Schedule 5 to the 2005 Act, the repeal of section 6 of the 1989 Act⁽³⁾ (seizure and disposal of vehicles used for illegal waste disposal), except in relation to section 6(1)(c) and (5) to (7) for the purpose of making regulations, comes into force on 6th April 2015.

(1) 1989 c. 14.

(2) Section 34B of the Environmental Protection Act 1990 (c. 43) (as substituted by section 46 of the 2005 Act) was amended by S.I. 2005/2900, 2007/3538, 2010/675 and 2013/755.

(3) Section 6 was amended by the Environmental Protection Act 1990, Schedule 15, paragraph 31 and the Environment Act 1995 (c. 25), Schedule 22, paragraph 37(4).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) In Part 4 of Schedule 5 to the 2005 Act, the repeal of section 6 of the 1989 Act, so far as not already in force, comes into force on 6th April 2015 immediately after the coming into force of the Control of Waste (Dealing with Seized Property) (England and Wales) Regulations 2015⁽⁴⁾.

Saving

5. Notwithstanding the repeal of section 6 of the 1989 Act, that section continues to have effect in relation to any vehicle seized under that section before 6th April 2015.

1st March 2015

Dan Rogerson
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

2nd March 2015

Carl Sargeant
Minister for Natural Resources, one of the Welsh
Ministers

⁽⁴⁾ S.I. 2015/426.