
Changes to legislation: There are currently no known outstanding effects for the
Water Industry (Scotland) Act 2002, Paragraph 20. (See end of Document for details)

SCHEDULE 7 MODIFICATIONS OF OTHER ENACTMENTS

Environmental Protection Act 1990 (c.43)

- 20 (1) The Environmental Protection Act 1990 is amended as follows.
- (2) In section 45 (collection of controlled waste)—
- (a) in subsection (10), for “a sewerage authority” in each place where it occurs substitute “ Scottish Water ”,
 - (b) after subsection (10), insert—

“(10A) Where a waste collection authority, in the exercise of its powers under subsection (7)(a) above, proposes to execute works outside its area, it shall, in addition to any notice served under section 3(2) of the Sewerage (Scotland) Act 1968 as applied by virtue of subsection (10) above, serve notice of its intention on the waste collection authority within whose area it is proposed to execute the works together with a description of the proposed works and if, within two months after the service of the notice, the waste collection authority on whom it was served objects to the proposed works, and that objection is not withdrawn, the first-mentioned authority shall not proceed to execute the works without consent aftermentioned but may refer the matter for the determination of the Scottish Ministers who may grant consent to the proposed works either unconditionally or subject to such terms and conditions as they think just, or who may withhold their consent, and their decision on the matter shall be final.”
- (3) In section 53 (duty of authorities as respects disposal of controlled waste: Scotland)
- (a) in subsection (2), for “and (10)” substitute “ , (10) and (10A) ”,
 - (b) in subsections (4) and (5), for “the sewerage authority” wherever it occurs substitute “ Scottish Water ”,
 - (c) in subsection (5), for “a sewerage authority” substitute “ Scottish Water ”,
 - (d) subsection (5A) is repealed.

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