

Status: Point in time view as at 30/06/2014.

Changes to legislation: There are currently no known outstanding effects for the Regulatory Reform (Scotland) Act 2014, PART 4. (See end of Document for details)

SCHEDULE 3 MINOR AND CONSEQUENTIAL MODIFICATIONS

PART 4

CONTROL OF POLLUTION ACT 1974

- 16 (1) The Control of Pollution Act 1974 is amended as follows.
- (2) The following provisions are repealed—
- (a) section 30B (classification of quality waters),
 - (b) section 30C (water quality objectives),
 - (c) section 30D (general duties to achieve and maintain objectives, etc.),
 - (d) section 30E (consultation and collaboration),
 - (e) section 31B (nitrate sensitive areas),
 - (f) section 31C (registering of agreement),
 - (g) section 41 (registers),
 - (h) section 42A (exclusion from registers of information affecting national security),
 - (i) section 42B (exclusion from registers of certain confidential information),
 - (j) section 43 (control of discharges into sewers),
 - (k) section 44 (provisions supplementary to section 43),
 - (l) section 45 (early variation of conditions of discharges),
 - (m) section 52 (charges in respect of certain discharges in England and Wales),
 - (n) section 57 (periodical inspections by local authorities),
 - (o) sections 63 to 67 (noise abatement zones),
 - (p) section 69 (execution of works by local authority),
 - (q) in section 87 (miscellaneous provisions relating to legal proceedings), subsection (3),
 - (r) section 88 (civil liability for contravention of section 3(3)),
 - (s) section 90 (establishment charges and interest in respect of certain expenses of authorities),
 - (t) section 101 (disposal of waste etc. by Atomic Energy Authority),
 - (u) Schedule 1 (noise abatement zones), and
 - (v) Schedule 1A (orders designating nitrate sensitive areas: Scotland).
- (3) In section 30Y (introductory), in subsection (1) (meaning of “abandonment” in relation to a mine), in paragraph (b)—
- (a) the word “or” immediately following sub-paragraph (i) is repealed,
 - (b) after sub-paragraph (ii) insert “or
 - (iii) any disclaimer by notice signed by the Queen's and Lord Treasurer's Remembrancer under section 1013 of the Companies Act 2006 (Crown disclaimer of property vesting as *bona vacantia*).”.
- (4) In section 51 (codes of good agricultural practice), in subsection (2), the words from “but” to the end of the subsection are repealed.

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- (5) In section 55A (regulations under Part 2), the words “and sections 43 to 45” are repealed.
- (6) In section 56 (interpretation etc. of Part 2)—
- (a) in subsection (1)—
 - (i) in the definition of “coastal waters”, “controlled waters”, “ground waters”, “inland waters” and “relevant territorial waters”, for the words from the beginning to “meanings” substitute “ “controlled waters” has the meaning ”,
 - (ii) the definitions of “effluent”, “micro-organism”, “operations”, “sewage effluent”, “substance” and “trade effluent” are repealed,
 - (b) subsections (3), (5) and (6) are repealed.
- (7) In section 73 (interpretation and other supplementary provisions)—
- (a) in subsection (1), the definitions of the following expression are repealed—
 - (i) “noise abatement order” and “noise abatement zone”,
 - (ii) “noise level register”,
 - (iii) “noise reduction notice”, and
 - (iv) “person responsible”,
 - (b) in subsection (2), for the words “sections 62 to 67” in both places where they occur, substitute “ section 62 ”.
- (8) In section 74 (penalties)—
- (a) in subsection (1), in paragraph (a), the words “in the case of a first offence against this Part of this Act,” are repealed,
 - (b) the words from “; and” immediately following that paragraph to the end of the section are repealed.
- (9) In section 104 (orders and regulations)—
- (a) in subsection (1), the following words are repealed—
 - (i) “(except sections 63 and 65(6))”, and
 - (ii) “regulations made by virtue of section 18 of this Act or”,
 - (b) in subsection (2), the following words are repealed—
 - (i) “regulations shall be made by virtue of section 18 of this Act and no”, and
 - (ii) “regulations or”.
- (10) In section 105 (interpretation etc. – general), in subsection (1), the definition of “trade effluent” is repealed.

Commencement Information

II Sch. 3 para. 16 in force at 30.6.2014 by S.S.I. 2014/160, art. 2(1)(2), Sch.

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