



Deposit of Poisonous Waste Act 1972

1972 CHAPTER 21

5 Local authorities and their functions

- (1) The local authorities for the purposes of this Act are—
 - (a) in England and Wales, county borough councils, county district councils and the Greater London Council; and
 - (b) in Scotland, county councils and town councils;and it shall be the duty of a local authority to enforce this Act in their area, but this subsection shall not in Scotland authorise an authority to institute proceedings for any offence.
- (2) Section 287 of the Public Health Act 1936 and section 36 of the Food and Drugs (Scotland) Act 1956 (which relate to powers of entry) shall each have effect as if sections 1 and 3 of this Act were contained in that Act; and for the purposes of this Act references in the said section 36 to premises shall include any land.
- (3) A local authority shall, in the case of any site operated by them as a refuse tip, within a period of not more than three days beginning with the date on which any waste to which section 3 of this Act applies was deposited on the tip, give notice to the river authority or the river purification board for the area in which the tip is situated specifying the following particulars with respect to the deposit—
 - (a) the particulars referred to in paragraphs (a), (b) and (c) of section 4(2) of this Act, and
 - (b) the premises from which the waste was removed with a view to its being deposited on the tip.
- (4) Local authorities shall, in the case of waste to which section 3 of this Act applies, keep records relating to the descriptions and quantities of waste which are deposited from time to time in their area, and the places where such waste is deposited.