



# Clean Air Act 1993

## 1993 CHAPTER 11

### PART VI

#### SPECIAL CASES

#### [<sup>F1</sup>41A Relation to the Pollution Prevention and Control Act 1999.

- (1) Where an activity is subject to regulations under section 2 of the Pollution Prevention and Control Act 1999 (regulation of polluting activities), Parts I to III of this Act shall not apply as from the determination date for the activity in question.
- (2) The “determination date”, for an activity, is—
  - (a) in the case of an activity for which a permit is granted, the date on which it is granted, whether in pursuance of the application, or on an appeal, of a direction to grant it;
  - (b) in the case of an activity for which a permit is refused, the date of refusal or, on appeal, of the affirmation of the refusal;
  - [<sup>F2</sup>(c) in the case of an activity that is an exempt waste operation, the date of the entry on the register maintained under paragraph 4 of Schedule 2 to the 2007 Regulations of an establishment or undertaking in relation to that operation.]
- (3) In subsection (2)[<sup>F3</sup>—

“exempt waste operation” has the meaning given in the 2007 Regulations;]  
“permit” means a permit under regulations under section 2 of the Pollution Prevention and Control Act 1999 and the reference to an appeal is a reference to an appeal under those regulations.

- [ In this section—
- <sup>F4</sup>(4) “activity” includes a waste operation within the meaning of the 2007 Regulations;  
“the 2007 Regulations” means the Environmental Permitting (England and Wales) Regulations 2007.]]

---

*Status: Point in time view as at 06/04/2008. This version of this provision has been superseded.*

*Changes to legislation: Clean Air Act 1993, Section 41A is up to date with all changes known to be in force on or before 02 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

---

#### Textual Amendments

- F1** S. 41A inserted (E.W.) (1.8.2000) by [S.I. 2000/1973](#), reg. 39, **Sch. para. 13**; and s. 41A inserted (S.) (28.9.2000) by [S.S.I. 2000/323](#), reg. 36, **Sch. 10 para. 4(4)**
- F2** S. 41A(2)(c) inserted (E.W.) (6.4.2008) by [The Environmental Permitting \(England and Wales\) Regulations 2007 \(S.I. 2007/3538\)](#), **Sch. 21 para. 22(2)** (with reg. 72, Sch. 4)
- F3** Words in s. 41A(3) inserted (E.W.) (6.4.2008) by [The Environmental Permitting \(England and Wales\) Regulations 2007 \(S.I. 2007/3538\)](#), **Sch. 21 para. 22(3)** (with reg. 72, Sch. 4)
- F4** S. 41A(4) inserted (E.W.) (6.4.2008) by [The Environmental Permitting \(England and Wales\) Regulations 2007 \(S.I. 2007/3538\)](#), **Sch. 21 para. 22(4)** (with reg. 72, Sch. 4)

**Status:**

Point in time view as at 06/04/2008. This version of this provision has been superseded.

**Changes to legislation:**

Clean Air Act 1993, Section 41A is up to date with all changes known to be in force on or before 02 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.