

**Changes to legislation:** Clean Neighbourhoods and Environment Act 2005, Paragraph 12 is up to date with all changes known to be in force on or before 15 August 2023. 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) View outstanding changes

## SCHEDULES

### SCHEDULE 1

#### APPLICATION OF THE NOISE ACT 1996 TO LICENSED PREMISES ETC

- 12 (1) Section 9 (section 8: supplementary) is amended as follows.
- (2) In subsection (1), for “the Secretary of State” substitute “ the appropriate person ”.
- (3) After subsection (2) insert—
- “(2A) If a fixed penalty notice is given to a person in respect of noise emitted from other premises in any period in a warning notice—
- (a) no further fixed penalty notice may be given to that person in respect of noise emitted from the premises during that period, but
- (b) that person may be convicted of a further offence under section 4A in respect of noise emitted from the premises after the fixed penalty notice is given and before the end of that period.”
- (4) In subsections (4A)(b) and (4C), for each occurrence of “the Secretary of State” substitute “ the appropriate person ”.
- (5) In subsection (4D), for “The Secretary of State” substitute “ The appropriate person ”.
- (6) In subsections (4E) and (4F), for each occurrence of “the Secretary of State” substitute “ the appropriate person ”.
- (7) In subsection (5), after “section 4” insert “ or 4A ”.

#### Commencement Information

- I1** Sch. 1 para. 12(1)(3)(7) in force at 1.10.2006 for E. by S.I. 2006/2006, art. 2
- I2** Sch. 1 para. 12(1)(3)(4)(7) in force at 15.3.2007 (being the date on which S.I. 2007/739 came into force) for W. by S.I. 2006/2797, art. 4(kk)
- I3** Sch. 1 para. 12(2)(5)(6) in force at 6.4.2006 for E. by S.I. 2006/795, art. 2(3), Sch. 2
- I4** Sch. 1 para. 12(2)(5)(6) in force at 27.10.2006 for W. by S.I. 2006/2797, art. 2(p)
- I5** Sch. 1 para. 12(4) in force at 14.3.2006 for E. by S.I. 2006/795, art. 2(1), Sch. 1

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**Commencement Orders yet to be applied to the Clean Neighbourhoods and Environment Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2007/120 art. 3](#) Amendment to earlier commencing S.I. 2006/2797