

*Status: Point in time view as at 01/02/1991. This version of this schedule contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Radioactive Substances Act 1960 (repealed 27.8.1993), FIRST SCHEDULE. (See end of Document for details)*

## SCHEDULES

### FIRST SCHEDULE

Section 9

#### ENACTMENTS, OTHER THAN LOCAL ENACTMENTS, TO WHICH S. 9(1) APPLIES

#### PART I

#### ENGLAND AND WALES

1 Section two of the <sup>M1</sup>Sea Fisheries Regulation Act 1888.

#### Marginal Citations

**M1** 1888 c. 54.

2 Sections eight and fifty-nine of the <sup>M2</sup>Salmon and Freshwater Fisheries Act 1923.

#### Marginal Citations

**M2** 1923 c. 16.

3 The following provisions of the <sup>M3</sup>Public Health Act 1936, that is to say, sections twenty-seven, [<sup>F1</sup>thirty-nine,]forty-eight, [<sup>F2</sup>seventy-nine], eighty-one, eighty-two . . . <sup>F3</sup>, . . . <sup>F3</sup>, and sections one hundred and forty-one, two hundred and fifty-nine and two hundred and sixty-one.

#### Textual Amendments

**F1** Words repealed (E.W.) by [Building Act 1984 \(c. 55, SIF 15\)](#), s. 133(2), [Sch. 7](#)

**F2** Words repealed (*prosp.*) by [Control of Pollution Act 1974 \(c. 40\)](#), s. 109(2), [Sch. 4](#)

**F3** Words repealed by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 162(2), [Sch. 16 Pt. III](#)

#### Marginal Citations

**M3** 1936 c. 49.

<sup>F4</sup> . . . . .

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**Textual Amendments**

**F4** Sch. 1 para. 4 repealed with saving by London Government Act 1963 (c. 33), s. 93(1)(2), **Sch. 18 Pt. II**

5 The <sup>M4</sup>Public Health (Drainage of Trade Premises) Act 1937.

**Marginal Citations**

**M4** 1937 c. 40.

[<sup>F5</sup>6 Section 21 of the <sup>M5</sup>Water Act 1945.]

**Textual Amendments**

**F5** Sch. 1 Pt. I para. 6 substituted by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2) (4), 189(4)–(10), 190, 193(1), Sch. 25 para. 27(4)(a), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**

**Marginal Citations**

**M5** 1945 c. 42.

[<sup>F6</sup>7 Sections two, five and seven of the <sup>M6</sup>Rivers (Prevention of Pollution) Act 1951.]

**Textual Amendments**

**F6** Para. 7 repealed (*prosp.*) by Control of Pollution Act 1974 (c. 40), s. 109(2), **Sch. 4**

**Marginal Citations**

**M6** 1951 c. 64.

8 Sections ten . . . <sup>F7</sup>of the <sup>M7</sup>Clean Air Act 1956.

**Textual Amendments**

**F7** Words repealed by Environmental Protection Act 1990 (c. 43, SIF 46:4), s. 162(2), **Sch. 16 Pt. III**

**Marginal Citations**

**M7** 1956 c. 52.

<sup>F8</sup> . . . . .

8A

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#### Textual Amendments

- F8** Para. 8A was added by [Water Resources Act 1963 \(c. 38\)](#). Sch. 13 para. 11 which addition is no longer applicable by virtue of the repeal of that Sch. 13 para. 11 by [Control of Pollution Act 1974 \(c. 40, SIF 46:4\)](#), s. 108, [Sch. 4](#) and [S.I. 1985/70](#), art. 2(1), [Sch.](#)

#### [<sup>F9</sup>8AA The Planning (Hazardous Substances) Act 1990]

#### Textual Amendments

- F9** Sch. 1 Pt. I para. 8AA inserted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, [Sch. 2 para. 7](#) (subject to a contingent saving (temp.) in [Sch. 4 para. 17](#))

#### [<sup>F10</sup>8B Sections 43 and 44 of the Control of Pollution Act 1974.]

#### Textual Amendments

- F10** Sch. 1 Pt. I para. 8B inserted by [S.I. 1976/959](#), [reg. 4](#)

#### [<sup>F11</sup>8C The Control of Pollution (Special Waste) Regulations 1980.]

#### Textual Amendments

- F11** Sch. 1 Pt. I para. 8C inserted by [S.I. 1980/1709](#), [reg. 3\(2\)](#)

#### [<sup>F12</sup>8D Section 59 of the Building Act 1984.]

#### Textual Amendments

- F12** Sch. 1 Pt. I para. 8D inserted at end of Pt. I by [Building Act 1984 \(c. 55, SIF 15\)](#), s. 133(1), [Sch. 6 para. 7](#)

#### [<sup>F13</sup>8E The following provisions of the Control of Pollution Act 1974, namely, section 31(1) to (3), (7) and (9), and sections 32, 34 to 42, 51, 54 and 55.]

#### Textual Amendments

- F13** Sch. 1 Pt. I para. 8E added by [S.I. 1985/708](#), [reg. 4\(1\)](#), [Sch. 2 para. 1](#) (which S.I. is revoked (S.) (2.12.1991) by [S.I. 1991/2539](#), [reg. 5](#))

#### [<sup>F14</sup>8F Section 111 of, or paragraph 57(2)(b) of Schedule 26 to, the Water Act 1989.]

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#### Textual Amendments

**F14** Sch. 1 Pt. I para. 8F inserted by [Water Act 1989 \(c. 15, SIF 130\)](#), **ss. 58(7)**, 101(1), 141(6), 160(1)(2)(4), 189(4)–(10) 190, 193(1), Sch. 25 para. 27(4)(b) Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58

[<sup>F15</sup>8G Sections 104, 106, 107, 110, 113, 115 and 117 to 120 of the Water Act 1989.]

#### Textual Amendments

**F15** By the insertion of para. 8G, Sch. 1 to this Act is modified (E.W.) by [S.I. 1989/1158](#), **art. 4**

[<sup>F16X1</sup>9 Part III of the Environmental Protection Act 1990.]

#### Editorial Information

**X1** Sch. 1 para. 9 is repealed by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 105, 162(2), Sch. 5 para. 19(1)(a), **Sch. 16 Part V** and in Part I at the end a new para. 9 is inserted by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 162(1), **Sch. 15 para. 8**

#### Textual Amendments

**F16** In Part I at the end para. 9 inserted by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 162(1), **Sch. 15 para. 8**

VALID FROM 01/12/1991

[<sup>F17</sup>9AA Sections 72, 111 and 113(6) and Chapter III of Part IV of the Water Industry Act 1991 and paragraphs 2 to 4 of Schedule 8 to that Act so far as they re-enact provisions of sections 43 and 44 of the Control of Pollution Act 1974]

#### Textual Amendments

**F17** Sch. 1 Pt. I para. 9AA inserted at the end and numbered (E.W.)(1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2(1), 4(2), **Sch. 1 para. 9(1)**

VALID FROM 01/12/1991

[<sup>F18</sup>9AB Sections 82, 84, 85, 86, 87(1), 88(2), 92, 93, 99, 161, 190, 202, 203 and 213 of the Water Resources Act 1991.]

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#### Textual Amendments

**F18** Sch. 1 Pt. I para. 9AB inserted at the end and numbered (E.W.)(1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2(1), 4(2), **Sch. 1 para. 9(1)**

VALID FROM 01/12/1991

[<sup>F19</sup>9AC Section 18 of the Water Act 1945 so far as it continues to have effect by virtue of Schedule 2 to the Water Consolidation (Consequential Provisions) Act 1991 or by virtue of provisions of the Control of Pollution Act 1974 not having been brought into force]

#### Textual Amendments

**F19** Sch. 1 Pt. I para. 9AC inserted at the end and numbered (E.W.)(1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2(1), 4(2), **Sch. 1 para. 9(1)**

## PART II

### SCOTLAND

<sup>F20</sup> .....

x29

#### Editorial Information

**X2** Sch. 1 para. 9 is repealed by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 105, 162(2), Sch. 5 para. 19(1)(a), **Sch. 16 Part V** and in Part I at the end a new para. 9 is inserted by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 162(1), **Sch. 15 para. 8**

#### Textual Amendments

**F20** Sch. 1 para. 9 is repealed by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), ss. 105, 162(2), Sch. 5 para. 19(1)(a), **Sch. 16 Part V**

[<sup>F21</sup>9A The Control of Pollution (Special Waste) Regulations 1980.]

#### Textual Amendments

**F21** Sch. 1 Pt. II para. 9A inserted by [S.I. 1980/1709, reg. 3\(2\)](#)

[<sup>F22</sup>9B The following provisions of the Control of Pollution Act 1974, namely, section 31(1) to (3), (7) and (9), and sections 32, 34 to 42, 51, 54 and 55.]

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**Textual Amendments**

**F22** Sch. 1 Pt. II para. 9B added by S.I. 1985/708, reg. 4(1), **Sch. 2 para. 2** (which S.I. is revoked (S.) (2.12.1991) by S.I. 1991/2539, **reg. 5**)

*F23*

10

**Textual Amendments**

**F23** Sch. 1 para. 10 repealed by Sewerage (Scotland) Act 1968 (c. 47), **Sch. 2**

*F24*

11

**Textual Amendments**

**F24** Sch. 1 Pt. II para. 11 repealed by Environmental Protection Act 1990 (c. 43, SIF 46:4), ss. 105, 162(2), Sch. 5 para. 19(1)(a), **Sch. 16 Part V**

*F25*

12

**Textual Amendments**

**F25** Sch. 1 Pt. II para. 12 repealed by Inshore Fishing (Scotland) Act 1984 (c. 26, SIF 52:1), s. 10, **Sch. 2**

13 The following provisions of the <sup>M8</sup>Public Health (Scotland) Act 1897, that is to say, sections sixteen, seventeen, thirty-two, forty-one, forty-two, one hundred and sixteen . . . <sup>F26</sup>

**Textual Amendments**

**F26** Words repealed by Sewerage (Scotland) Act 1968 (c. 47), **Sch. 2**

**Marginal Citations**

**M8** 1897 c. 38.

14 Sections [<sup>F27</sup>70, 71 and 75] of the <sup>M9</sup>Water (Scotland) Act [<sup>F27</sup>1980]

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**Textual Amendments**

**F27** Words substituted by [Water \(Scotland\) Act 1980 \(c. 45, SIF 130\)](#), s. 112(1), **Sch. 10 Pt. II**

**Marginal Citations**

**M9** [1980 c. 45](#).

15 Sections twenty-two, twenty-five and twenty-eight of the <sup>M10</sup>Rivers Prevention of Pollution) (Scotland) Act 1951.

**Modifications etc. (not altering text)**

**C1** [Para. 15](#) repealed (prosp.) by [Control of Pollution Act 1974 \(c. 40\)](#), s. 109(2), **Sch. 4**

**Marginal Citations**

**M10** [1951 c. 66](#).

16 Sections ten and sixteen of the <sup>M11</sup>Clean Air Act 1956.

**Marginal Citations**

**M11** [1956 c. 52](#).

[<sup>F28</sup>17 [The Sewerage \(Scotland\) Act 1968](#)]

**Textual Amendments**

**F28** [Para. 17](#) inserted (S.) at end of Part II by [Sewerage \(Scotland\) Act 1968 \(c. 47\)](#), **Sch. 1 para. 4**

[<sup>F29</sup>17A [Section 201 of the Local Government \(Scotland\) Act 1973](#).]

**Textual Amendments**

**F29** [Sch. 1 Pt. III paras. 17A, 17B](#) inserted by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 105, **Sch. 5** para, 19(1)(b)

<sup>F30</sup>17B [Section 124 of the Civic Government \(Scotland\) Act 1982](#).

**Textual Amendments**

**F30** [Sch. 1 Pt. III paras. 17A, 17B](#) inserted by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 105, **Sch. 5** para, 19(1)(b)

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**PART III**

NORTHERN IRELAND

**Modifications etc. (not altering text)**

**C2** Sch. 1 Part III amended (N.I.) by Clean Air Act (Northern Ireland) 1964 (c. 16), **Sch. 4**, Fisheries Act (Northern Ireland) 1966 (c. 17), **Sch. 7**, Water Act (Northern Ireland) 1972 (c. 5), **s. 31(1)** and S.I. 1973/70 (N.I. 2), **Sch. 3**

F31 .....

17

**Textual Amendments**

**F31** Sch. 1 Pt. III paras. 17, 19 repealed by Fisheries Act (Northern Ireland) 1966 (c. 17), s. 210, **Sch. 7**

F32 .....

18

**Textual Amendments**

**F32** Sch. 1 Pt. III para. 18 repealed by S.I. 1978/1049 (N.I. 19), **Sch. 7**

F33 .....

19

**Textual Amendments**

**F33** Sch. 1 Pt. III paras. 17, 19 repealed by Fisheries Act (Northern Ireland) 1966 (c. 17), s. 210, **Sch. 7**

F34 .....

20

**Textual Amendments**

**F34** Sch. 1 Pt. III para. 20 repealed by Water Act (Northern Ireland) 1972 (c. 5), **s. 31(1)**

21 The following provisions of the <sup>M12</sup>Public Health (Ireland) Act 1878, that is to say, sections fifty, fifty-one, [<sup>F35</sup>fifty-four,]fifty-eight, [<sup>F36</sup>fifty-nine,]one hundred and seven, one hundred and twenty-nine . . . <sup>F37</sup>.



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**Textual Amendments**

**F35** Words repealed (*prosp.*) (N.I.) by S.I. 1978/1049 (N.I. 19), art. 1(2), **Sch. 7**

**F36** “fifty-nine” repealed (N.I.) by S.I. 1978/1049 (N.I. 19), **Sch. 7**

**F37** Words repealed by **Clean Air Act (Northern Ireland) 1964** (c. 16), s. 44(1), **Sch. 4**

**Marginal Citations**

**M12** 1878 c. 52.

22 [F38Section] twenty-six of the M13Public Health Acts Amendment Act 1890.

**Textual Amendments**

**F38** Word substituted by S.I. 1973/70 (N.I. 2), art. 60(1), **Sch. 3 para. 1(a)**

**Marginal Citations**

**M13** 1890 c. 59.

F39

23

**Textual Amendments**

**F39** Sch. 1 Pt. III paras. 23, 25 repealed by S.I. 1978/1049 (N.I. 19), **Sch. 7**

24 Sections thirty-five, forty-six, forty-nine and fifty-one of the M14Public Health Acts Amendment Act 1907.

**Marginal Citations**

**M14** 1907 c. 53.

F40

25

**Textual Amendments**

**F40** Sch. 1 Pt. III paras. 23, 25 repealed by S.I. 1978/1049 (N.I. 19), **Sch. 7**

26 Any enactment which may be passed by the Parliament of Northern Ireland for purposes similar to those of section ten or section sixteen of the M15Clean Air Act 1956.

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### Marginal Citations

**M15** 1956 c. 52.

[<sup>F41X3</sup>27 Sections 26, 47 and 124 of the Fisheries Act (Northern Ireland) 1966]

### Editorial Information

**X3** Sch. 1 Pt. III para. 27: inserted (N.I.) by Fisheries Act (Northern Ireland) 1966 (c. 17), s. 20, **Sch. 7** and a further para. 27 is inserted by S.R. 1981/252, **reg. 4(2)**

### Textual Amendments

**F41** Sch. 1 Pt. III para. 27 inserted (N.I.) after para. 26 by Fisheries Act (Northern Ireland) 1966 (c. 17), s. 20, **Sch. 7**

[<sup>F42X4</sup>27 The Pollution Control (Special Waste) Regulations (Northern Ireland) 1981.]

### Editorial Information

**X4** Sch. 1 Pt. III para. 27: inserted (N.I.) by Fisheries Act (Northern Ireland) 1966 (c. 17), s. 20, **Sch. 7** and a further para. 27 is inserted by S.R. 1981/252, **reg. 4(2)**

### Textual Amendments

**F42** Sch. 1 Pt. III para. 27 inserted by S.R. 1981/252, **reg. 4(2)**

[<sup>F43X5</sup>28 Sections 5, 7 and 8 of the Water Act (Northern Ireland) 1972]

### Editorial Information

**X5** Sch. 1 Pt. III para. 28: inserted (N.I.) by Water Act (Northern Ireland) 1972 (c. 5), **s. 31(1)** and a further para. 28 was added (24.9.1990) by S.I. 1990/1510, **art. 30 Sch. 1 Part 1**

### Textual Amendments

**F43** Sch. 1 Pt. III para. 28 inserted (N.I.) after para. 27 by Water Act (Northern Ireland) 1972 (c. 5), **s. 31(1)**

[<sup>F44X6</sup>28 Articles 37A to 37K and 50AB of the Planning (Northern Ireland) Order 1972.]

### Editorial Information

**X6** Sch. 1 Pt. III para. 28: inserted (N.I.) by Water Act (Northern Ireland) 1972 (c. 5), **s. 31(1)** and a further para. 28 was added (24.9.1990) by S.I. 1990/1510, **art. 30 Sch. 1 Part 1**

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**Textual Amendments**

**F44** Sch. 1 Pt. III para. 28 added (24.9.1990) at the end of Sch. 1 by S.I. 1990/1510 art. 30 Sch. 1 Part 1

[<sup>F45</sup>29 Article 34 of the Water and Sewerage Services (Northern Ireland) Order 1973]

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**Textual Amendments**

**F45** Sch. 1 Pt. III para. 29 there is inserted (N.I.) after para. 28 by S.I. 1973/70 (N.I. 2), art. 60(1), Sch. 3 para. 1(b)

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