

1976 No. 959

PUBLIC HEALTH, ENGLAND AND WALES

**The Control of Pollution (Radioactive Waste)
Regulations 1976**

<i>Made - - - -</i>	<i>10th June 1976</i>
<i>Laid before Parliament</i>	<i>29th June 1976</i>
<i>Coming into Operation</i>	<i>20th July 1976</i>

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of their powers under section 30(5) as applied by section 56(6) of the Control of Pollution Act 1974(a), and of all other powers enabling them in that behalf, hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the Control of Pollution (Radioactive Waste) Regulations 1976 and shall come into operation on 20th July 1976.

Interpretation

2.—(1) In this order—

“the 1960 Act” means the Radioactive Substances Act 1960(b);

“the 1974 Act” means the Control of Pollution Act 1974;

“radioactive waste” has the same meaning as in the 1960 Act.

(2) The Interpretation Act 1889(c) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Certain provisions of 1974 Act to apply to radioactive waste

3. Subject to the provisions of section 9(1) of the 1960 Act, the following provisions of Part II of the 1974 Act, that is to say, sections 43 and 44 (which relate to the control of discharges of trade effluent into public sewers), shall have effect, without modification, in relation to any radioactive waste as they have effect in relation to any substance, article or other thing which is not radioactive waste.

(a) 1974 c. 40.

(b) 1960 c. 34.

(c) 1889 c. 63.

Amendment of 1960 Act

4. In Schedule 1 to the 1960 Act, after paragraph 8A there shall be inserted the following paragraph—

“8B. Sections 43 and 44 of the Control of Pollution Act 1974.”

7th June 1976.

Peter Shore,
Secretary of State for the Environment.

10th June 1976.

John Morris,
Secretary of State for Wales.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Part II (which relates to pollution of water) of the Control of Pollution Act 1974 does not apply to radioactive waste within the meaning of the Radioactive Substances Act 1960, but the Secretary of State may by regulations provide for prescribed provisions of that Part to have effect for the purposes of dealing with radioactive waste, and may make consequential modifications of the 1960 Act.

These Regulations (which apply only to England and Wales) provide for sections 43 and 44 of the 1974 Act (relating to the control of discharges of trade effluent into public sewers) to have effect in relation to radioactive waste (subject to any special control of such waste which may be exercised under the 1960 Act by reason of its radioactive properties); and they make a consequential modification of the 1960 Act.

SI 1976/959
ISBN 0-11-060959-X



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