

**1988 No. 818 (C.26)**

**PUBLIC HEALTH, ENGLAND AND WALES**

**The Control of Pollution Act 1974 (Commencement  
No. 19) Order 1988**

*Made - - - - 3rd May 1988*

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 109(2) of the Control of Pollution Act 1974<sup>(a)</sup> and of all other powers enabling them in that behalf, hereby make the following Order:

1. This Order may be cited as the Control of Pollution Act 1974 (Commencement No. 19) Order 1988.

2. The provisions of the Control of Pollution Act 1974 specified in the Schedule to this Order (the subject matter of which is described in the second column of the Schedule) shall come into force in England and Wales, so far as they are not already in force, on 6th June 1988.

29th April 1988

*Nicholas Ridley*  
Secretary of State for the Environment

3rd May 1988

*Peter Walker*  
Secretary of State for Wales

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(a) 1974 c.40.

## SCHEDULE

(1) <i>Provisions brought into force</i>	(2) <i>Subject matter of provisions</i>
<i>Part I (Waste on Land)</i>	
Section 12(1)–(9) and (11)(a)	Collection of waste
Section 13(1)–(4) and (8)(b)	Dustbins etc.
Section 14(c)	Disposal of waste in England and Wales
Section 18(3)	Application of certain provisions to waste other than controlled waste
Section 27(d)	Interference with refuse tips and dustbins etc.
Section 28, except in its application to section 15(2)(e)	Supplementary provisions relating to pipes
<i>Part VI (Miscellaneous and General)</i>	
Section 108(2), so far as it applies to the entries in Schedule 4 relating to the enactments specified below—	Repeals
The Public Health Act 1936(f), sections 72(1) to (5), and 73 to 76;	
The London Government Act 1963(g), Schedule 11, Part I, paragraphs 14, 16 and 32; and	
The Local Government Act 1972(h), Schedule 14, paragraphs 5 to 8.	

### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into operation provisions of Part I of the Control of Pollution Act 1974 relating to the collection and disposal of waste and the providing of receptacles for waste. It also effects the repeal of certain provisions of the Public Health Act 1936 and other Acts relating to those matters.

The Order, which applies to England and Wales, comes into force on 6th June 1988.

(a) Subsections (2), (6) and (8) were amended by paragraph 3(2) of Schedule 6 to the Local Government Act 1985 (c.51) and were modified by S.I. 1985/1884.

(b) Subsections (1) and (1A) were substituted, and subsection (2) was amended, by paragraph 10 of Schedule 2 to the Local Government, Planning and Land Act 1980 (c.65). Subsection (1A) was modified by sections 38 and 46 of the Criminal Justice Act 1982 (c.48) and subsection (4) was modified by paragraph 3(2) of Schedule 6 to the Local Government Act 1985 and by S.I. 1985/1884.

(c) Subsections (1), (2) and (8) were modified by S.I. 1985/1884.

(d) Subsection (1)(b) was amended by paragraph 12 of Schedule 2 to the Local Government, Planning and Land Act 1980.

(e) Subsection (1) was amended by paragraph 13 of Schedule 2 and Part II of Schedule 34 to the Local Government, Planning and Land Act 1980.

(f) 1936 c.49.

(g) 1963 c.33.

(h) 1972 c.70.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s. 109 (England, Wales, Scotland, Northern Ireland)		
ss. 104, 105 (England, Wales, Scotland)		
ss. 43, 44, 95, 107 and 108 (1) (partially) (England, Wales)	12th December 1974	1974/2039
s. 108(1) and (2) (both partially) (England, Wales, Scotland)	1st January 1975	1974/2169
s. 108(2) (partially) (Scotland)	3rd March 1975	1975/230
ss. 75, 77, 100, 101 (England, Wales, Scotland, Northern Ireland)		
s. 12(5) (partially), ss. 25, 29, 30, 78, 99, 102, 103, 108(2) (partially), Sch. 2 (England, Wales, Scotland)		
s. 12(6) and (7) (partially), ss. 17, 19–21, 26, 27(1)(a) and (2), 28 (partially), 49, 50, 56–74, Sch. 1, 76, 79–87, 89–94, 96–98, 108(1) and (2) (both partially), 108(3), Sch. 3 (partially), Sch. 4 (partially) (England, Wales)		
s. 106 (Scotland)	1st January 1976	1975/2118
ss. 3–11, 16, 18(1) and (2), 22, 23, 88, Sch. 3 (partially), Sch. 4 (partially) (England, Wales)	14th June 1976	1976/731
ss. 108(1) and (2) (both partially) (England, Wales)	20th July 1976	1976/956
s. 17 (partially), s. 27(1)(a) and (2), ss. 57(a), 58 (partially), 59, 62, 68, 69 (partially), 70, 71(1) and (3), 72, 73 (partially), 74, 76, 84, 85, 87, 89–93, 94 (partially), 96, 98, 108(1) and (2) (both partially), 108(3), Sch. 3 (partially), Sch. 4 (partially) (Scotland)	18th July 1976	1976/1080
ss. 12(5), 14(9), (10), (11), 108(2) (partially), Sch. 4 (partially) (England)	1st April 1977	1977/336
s. 24(4) (England, Wales, Scotland), s. 108(2) (partially), Sch. 4 (partially) (England, Wales)	1st April 1977	1977/476
ss. 3–11, 16, 17(3)(a), 18(1) and (2), 20, 88 (Scotland)	1st January 1978	1977/1587
s. 2 (England, Wales)	1st July 1978	1977/2164
s. 2 (Scotland)	1st September 1978	1978/816
s. 13 (partially) (England, Wales)	1st August 1978	1978/954
s. 108(2) (partially) (England, Wales, Scotland)	16th March 1981	1981/196
ss. 57(b), 58(6), 58(8) (partially), 60, 61, 63–67, 69 (partially), 71(2), 73 (partially), 79–83 (Scotland)	1st August 1982	1982/624
s. 32(3) (England, Wales, Scotland)	10th August 1983	1983/1175
s. 31 (partially), s. 34 (partially), ss. 35–37, ss. 38 and 39 (both partially), ss. 40, 42, 54 and 55 (England, Wales, Scotland), s. 108(1) (partially), Sch. 3 (partially) (England and Wales), ss. 49 and 56, s. 108(1) (partially), Sch. 3 (partially) (Scotland)	4th July 1984	1984/853
s. 31 (partially), ss. 32, 39(2), 41, 46(4) to (7) and 51, Schedules 3 and 4 (both partially) (England, Wales, Scotland), ss. 50 and 94(2)(a)(ii) (Scotland)	31st January 1985	1985/70.