
STATUTORY INSTRUMENTS

1996 No. 973

The Environment Act 1995 (Consequential and Transitional Provisions) (Scotland) Regulations 1996

Control of Pollution Act 1974

3.—(1) Subject to paragraph (2) below, subsections (5A) to (5C) of section 39 of the Control of Pollution Act 1974⁽¹⁾ shall apply in respect of a reference under subsection (1)(b) of that section which is pending on 1st April 1996 as those subsections apply in respect of such a reference made on or after that date.

(2) In the case of a reference under section 39(1)(b) of the Control of Pollution Act 1974 which is pending on 1st April 1996, subsection (5B) of that section shall have effect as if the reference in that subsection to the notice effecting the revocation, modification or provision in question were a reference to a notice served by SEPA on the holder of the consent in question no later than 14th April 1996.

(1) 1974 c. 40; section 39 was substituted by paragraph 4 of Schedule 23 to the Water Act 1989 (c. 15); subsections (5A) to (5C) are inserted by paragraph 29(15)(c) of Schedule 22 to the Environment Act 1995.