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## EXPLANATORY NOTE

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

This Order brings into force further provisions of the Clean Neighbourhoods and Environment Act 2005 (“the 2005 Act”) in relation to Wales.

Article 2 brings into force (either entirely or for remaining purposes), on 27 October 2006, provisions of the 2005 Act concerning the following:

- (a) abandoned vehicles (sections 11 to 13);
- (b) illegally parked vehicles (sections 15 to 17);
- (c) advertisements (section 34);
- (d) transport of waste (section 37 (in part));
- (e) local authority waste collection and disposal (section 50);
- (f) controls on dogs (sections 56, 66 and 67);
- (g) audible intruder alarms (sections 80 and 81);
- (h) noise from premises (sections 83 and 84);
- (i) statutory noise nuisances (section 86); and
- (j) abandoned shopping and luggage trolleys (sections 99 and 100).

Article 3 brings into force section 2 (gating orders) of the 2005 Act on the date on which the associated Highways Act 1980 (Gating Orders) (Wales) Regulations 2007 come into force.

Article 4 brings into force (either entirely or for remaining purposes), on the date on which the associated Environmental Offences (Fixed Penalty) (Miscellaneous Provisions) (Wales) Regulations 2006 come into force, provisions of the 2005 Act concerning the following:

- (a) nuisance parking offences (sections 6 to 9);
- (b) abandoned vehicles (section 10);
- (c) litter and refuse (sections 19 to 25);
- (d) graffiti and fly-posting (sections 28 to 31);
- (e) waste (sections 38, 45, 48 and 52);
- (f) control on dogs (sections 59 to 62);
- (g) audible intruder alarms (sections 69 to 79);
- (h) noise from premises (sections 82 and 84);
- (i) use of fixed penalty receipts (sections 96 to 98).

Article 5 brings into force (either entirely or for remaining purposes), on the date on which the associated Dog Control Orders (Miscellaneous Provisions) (Wales) Regulations 2007 come into force, provisions of the 2005 Act concerning controls on dogs.

Article 6 brings into force (either entirely or for remaining purposes), on the date on which the associated Statutory Nuisance (Miscellaneous Provisions) (Wales) Regulations 2006 come into force, provisions of the 2005 Act concerning a new category of statutory nuisance comprising insects emanating from industrial, trade or business premises and being prejudicial to health or a nuisance.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Article 7 brings into force (either entirely or for remaining purposes), on the date on which the associated Statutory Nuisance (Artificial Lighting) (Designation of Relevant Sports) (Wales) Order 2006 comes into force, provisions of the 2005 Act concerning a new category of statutory nuisance comprising artificial light emitted from premises so as to be prejudicial to health or a nuisance.

Article 8 contains transitional provisions requiring that a vehicle in respect of which a local authority has given a notice under section 3(2) of the Refuse Disposal (Amenity) Act 1978, or to which a local authority has affixed a notice under section 3(5) of that Act, in either case before 27 October 2006, will continue to be dealt with in accordance with sections 3 and 4 of that Act as those sections applied before the coming into force of provisions under this Order.

Article 9 contains transitional provisions requiring that a vehicle on a road in respect of which an authority has given a notice under section 99(3) of the Road Traffic Regulation Act 1984 or a vehicle to which an authority has affixed a notice under section 99(4) of that Act, in either case before 27 October, will continue to be dealt with in accordance with sections 99, 101 and 103 of that Act as those sections applied before the coming into force of provisions under this Order.

Article 10 makes savings under which the Dogs (Fouling of Land) Act 1996 (c. 20) continues to apply in respect of land that is “designated land” under that Act immediately before the repeal of that Act by article 5(g) of this Order.

Article 11 amends article 5 of the [Clean Neighbourhoods and Environment Act 2005 \(Commencement No. 1 and Savings\) \(Wales\) Order 2006 \(S.I. 2006 No. 768\) \(W. 75\) \(C. 18\)](#) (“the 2006 Order”). The 2006 Order repealed section 32 of, and Part 2 of Schedule 2 to, the Environmental Protection Act 1990 (c. 43) (“the 1990 Act”). Article 5 of the 2006 Order contained savings continuing the effect of the repealed sections in relation to waste disposal companies under the control of waste disposal authorities at the date the repeal took effect. Article 11 of this Order limits those savings so that from 27 October 2006 only section 32(7) and (8) of the 1990 Act will continue to have effect in relation to those companies.