



Control of Pollution Act 1974

1974 CHAPTER 40

PART I

WASTE ON LAND

Waste other than controlled waste

[^{F1}18] Application of preceding provisions to other waste.

- (1) The Secretary of State may, after consultation with such bodies as he considers appropriate, make regulations providing that prescribed provisions of sections 1 to 11 and 14 to 17 of this Act shall have effect in a prescribed area—
- (a) as if references in those provisions to controlled waste or controlled waste of a kind specified in the regulations included references to such waste as is mentioned in section 30(3)(c)(ii) of this Act which is of a kind so specified; and
 - (b) with such other modifications as are prescribed;
- and regulations made in pursuance of this subsection may make such modifications of any enactment other than the sections aforesaid as the Secretary of State considers appropriate in connection with the regulations.
- (2) A person who—
- (a) deposits on any land any waste other than controlled waste; or
 - (b) causes or knowingly permits the deposit on any land of any waste other than controlled waste,

in a case where, if the waste were controlled waste and any disposal licence relating to the land were not in force, he would be guilty of an offence under section 3(3) of this Act shall be guilty of such an offence and punishable accordingly unless the act charged was done in pursuance of and in accordance with the terms of any consent, licence, approval or authority granted under any enactment (excluding any planning permission under the enactments relating to town and country planning); and in this subsection “land” includes such water as is mentioned in section 4(4) of this Act.

Changes to legislation: There are currently no known outstanding effects for the Control of Pollution Act 1974, Cross Heading: Waste other than controlled waste. (See end of Document for details)

(3) Subsection (2) of section 12 and subsection (4) of section 13 of this Act shall apply to waste other than controlled waste as the subsections apply to controlled waste.]

Textual Amendments

- F1** S. 18 repealed (1.5.1994 save in respect of specified activities, as to which in force as provided in art. 3 of S.I. 1994/1096, 1.4.2015 for S. so far as not already in force) by [Environmental Protection Act 1990 \(c. 43\)](#), s. 162(2), [Sch. 16 Pt. II](#); S.I. 1994/1096, [arts. 2, 3](#) (as amended by S.I. 1994/2487, [art. 2](#) and S.I. 1994/3234, [art. 2](#)), S.S.I. 2015/72, art. 2(2)(a)

19 Powers of disposal authorities as respects other waste.

[^{F2}Each disposal authority shall have power to collect information about, and to make arrangements for the disposal of, waste which is situated or likely to be situated in its area and is not controlled waste; but nothing in sections 91 to 94 of this Act shall apply to functions conferred on an authority or information collected by an authority in pursuance of this section.]

Textual Amendments

- F2** S. 19 repealed (1.4.2015 for S.) by [Environmental Protection Act 1990 \(c. 43\)](#), s. 164(3), [Sch. 16 Pt. II](#); S.S.I. 2015/72, art. 2(2)(b)

Changes to legislation:

There are currently no known outstanding effects for the Control of Pollution Act 1974, Cross
Heading: Waste other than controlled waste.