

Changes to legislation: Environmental Protection Act 1990, SCHEDULE 16 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 16

REPEALS

^{F1} PART I

ENACTMENTS RELATING TO PROCESSES

Textual Amendments

F1 Sch. 16 Pt. I partly in force; Sch. 16 Pt. I not in force at Royal Assent see 164(3); repeal in Sch. 16 Pt. I relating to 1906 c. 14 in force for certain purposes at 1.12.1994 by S.I. 1994/2854, art. 2 and in force (E.W.) at 16.12.1996 insofar as not already in force by S.I. 1996/3056, art. 2; repeals in Sch. 16 Pt. I relating to 1974 c. 37 and 1990 c. 43 in force (E.W.) at 16.12.1996 by S.I. 1996/3056, art. 2.

Commencement Information

II Sch. 16 Pt. I in force at 1.4.2015 for specified purposes for S. by S.S.I. 2015/72, art. 2(1)

Chapter	Short title	Extent of repeal
1906 c. 14.	Alkali, &c. Works Regulation Act 1906.	The whole Act so far as unrepealed.
1956 c. 52.	Clean Air Act 1956.	Section 17(4). In section 29(1), in the proviso, paragraph (a). In section 31(1), the words from “(other” to “1906”.
1968 c. 62.	Clean Air Act 1968.	Schedule 2.
1972 c. 70.	Local Government Act 1972.	Section 11.
1973 c. 65.	Local Government (Scotland) Act 1973.	In section 180(3), paragraph (b).
1973 c. 65.	Local Government (Scotland) Act 1973.	In section 142(2), paragraph (b).
[^{F2} 1974 c. 37.	Health and Safety at Work etc. Act 1974.	Section 1(1)(d) and the word “and” preceding it.] Section 5.
1974 c. 40.	Control of Pollution Act 1974.	In section 76(4), the words “or work subject to the Alkali Act”.

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In section 78(1), the words “or work subject to the Alkali Act”.

In section 79(4), the words “or work subject to the Alkali Act”.

In section 80(3), the words “or work subject to the Alkali Act”.

In section 84(1), the definition of “a work subject to the Alkali Act”.

In section 103(1)(a), the words “Alkali Act or the”.

In section 105(1), the definition of “the Alkali Act”.

[^{F3}1990 c. 43

Environmental Protection Act 1999

In section 79(10), the words following “Part I”.]

Textual Amendments

- F2** Words in Sch. 16 Pt. I repealed (S.) (26.2.2015) by [The Regulatory Reform \(Scotland\) Act 2014 \(Consequential Modifications\) Order 2015 \(S.I. 2015/374\)](#), arts. 1(1), **5(3)**
- F3** Words in Sch. 16 Pt. I repealed (S.) (30.6.2014) by [Regulatory Reform \(Scotland\) Act 2014 \(asp 3\)](#), s. 61(2), sch. 3 para. 23(f); [S.S.I. 2014/160](#), art. 2(1)(2), sch.

Note: The repeal of the Alkali, &c. Works Regulation Act 1906 does not extend to Northern Ireland.

PART II

ENACTMENTS RELATING TO WASTE ON LAND

Commencement Information

- I2** Sch. 16 Pt. II partly in force; Sch. 16 Pt. II not in force at Royal Assent, see s. 164(3); Sch. 16 Pt. II in force for certain purposes at 31.5.1991 by [S.I. 1991/1319](#); Sch. 16 Pt. II in force for certain further purposes at 1.4.1992 by [S.I. 1991/2829](#) and [S.I. 1992/266](#); Sch. 16 Pt. II in force for certain further purposes at 1.5.1994 and other ascertainable dates for limited purposes by [S.I. 1994/1096](#), **arts. 2(1)(2)(3)**, 3 (as amended by [S.I. 1994/2487](#), **art. 2** and [S.I. 1994/3234](#), **art. 2**)
- I3** Sch. 16 Pt. 2 in force at 1.4.2012 for specified purposes by [S.I. 2012/898](#), **art. 2**
- I4** [Sch. 16 Pt. II](#) in force at 1.4.2015 for specified purposes for S. by [S.S.I. 2015/72](#), **art. 2(2)**

Chapter	Short title	Extent of repeal
1974 c. 40.	Control of Pollution Act 1974.	Sections 1 to 21.

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		Sections 27 to 30.
1978 c. 3.	Refuse Disposal (Amenity) Act 1978.	Sections 1.
1982 c. 45.	Civic Government (Scotland) Act 1982.	Sections 124 and 125 and in section 126, subsections (1) and (3).
1988 c. 9.	Local Government Act 1988.	In Schedule 1, in paragraph 1, in sub-paragraph (1) the words “in the application of this Part to England and Wales,” and sub-paragraph (4).
1989 c. 14.	Control of Pollution (Amendment) Act 1989.	In section 7(2), paragraph (b) and the word “and” preceding it. In section 9, in subsection (1), the definition of “disposal authority” and subsection (2).
1989 c. 15.	Water Act 1989.	In Schedule 25, in paragraph 48, sub-paragraphs (1) to (6).
1989 c. 29.	Electricity Act 1989.	In Schedule 16, paragraph 18.
1990 c. 43.	Environmental Protection Act 1990.	In section 34(3)(b), the words following “below”. Section 36(8).

Note: The repeal in the Refuse Disposal (Amenity) Act 1978 does not extend to Scotland.

PART III

ENACTMENTS RELATING TO STATUTORY NUISANCES

Chapter	Short title	Extent of repeal
1936 c. 49.	Public Health Act 1936.	Sections 91 to 100. Sections 107 and 108. Sections 109 and 110. In section 267(4), “III”
1956 c. 52.	Clean Air Act 1956.	Section 16. In section 30(1), the words from “or a nuisance” to “existed”.
1960 c. 34.	Radioactive Substances Act 1960.	In Schedule 1—

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		(a) In paragraph 3, the words “and ninety-two”;
		(b) in paragraph 3, the words “subsection (2) of section one hundred and eight”; and
		(c) in paragraph 8, the words “and sixteen”.
1961 c. 64.	Public Health Act 1961.	Section 72.
1963 c. 33.	London Government Act 1963.	In Schedule 11, in Part I, paragraph 20.
1963 c. 41.	Offices, Shops and Railway Premises Act 1963.	Section 76(3).
1969 c. 25.	Public Health (Recurring Nuisances) Act 1969.	The whole Act.
1972 c. 70.	Local Government Act 1972.	In section 180(3), paragraph (j). In Schedule 14— (a) in paragraph 4, the words “107(1) and (2), 108”; (b) paragraph 11; and (c) paragraph 12.
1974 c. 40.	Control of Pollution Act 1974.	In section 57, paragraph (a). Sections 58 and 59. In section 69, in subsection (1), paragraph (a) and, in paragraph (c), the words “section 59(2) or”, and in subsection (3) the words “section 59(6) or” and paragraph (i). In Schedule 2, paragraphs 11 and 12.
1982 c. 30.	Local Government (Miscellaneous Provisions) Act 1982.	Section 26(1) and (2).
1989 c. 17.	Control of Smoke Pollution Act 1989.	Section 1.
1990 c. 8.	Town and Country Planning Act 1990.	In Schedule 17, paragraph 1.

Note: The repeals in the Clean Air Act 1956, the Control of Pollution Act 1974 and the Control of Smoke Pollution Act 1989 do not extend to Scotland.

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PART IV

ENACTMENTS RELATING TO LITTER

Commencement Information

I5 Sch. 16, Pt. IV in force at 1.4.1991, see s. 164(3) and S.I. 1991/1042, art. 2

Chapter	Short title	Extent of repeal
1974 c. 40.	Control of Pollution Act 1974.	Section 22(1) and (2).
1982 c. 43	Local Government and Planning (Scotland) Act 1982.	Section 25(1).
1983 c. 35.	Litter Act 1983.	Section 1 and 2. Section 12(1).
1986 c. ii.	Berkshire Act 1986.	Section 13.
1987 c. xi.	Exeter City Council Act 1987.	Section 24.
1988 c. viii.	City of Westminster Act 1988.	The whole Act.
1990 c. vii.	London Local Authorities Act 1990.	Section 43.

PART V

ENACTMENTS RELATING TO RADIOACTIVE SUBSTANCES

Chapter	Short title	Extent of repeal
1960 c. 34.	Radioactive Substances Act 1960.	Section 2(1). In section 4, subsection (1) and in subsection (2) the word “further”. Section 7(3)(a). Section 8(1)(a). In section 12, subsection (1), in subsection (2)(b) the words “of waste” and, at the end “and”, and in subsection (3) (b) the words “subsection (1) or”.

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In section 19(1) the definition of “the Minister”.

Section 21(4).

In Schedule 1, paragraphs 9 and 11.

PART VI

ENACTMENTS RELATING TO NATURE CONSERVATION AND COUNTRYSIDE MATTERS

Commencement Information

I6 Sch. 16 Part VI partly in force; Pt. VI not in force at Royal Assent see s. 164(3); Pt. VI partly in force at 1.4.1991 by S.I. 1991/685 and at 1.4.1992 by S.I. 1991/2829, art. 4

Chapter	Short title	Extent of repeal
1968 c. 41.	Countryside Act 1968.	In section 15(2), the words “in the national interest”. Section 19. In section 46(2), the words “and (2)”
1973 c. 54.	Nature Conservancy Council Act 1973.	In section 1, subsections (1), (2) and (4) to (8). Sections 2 and 4. In Schedule 1, paragraphs 6, 10 and 12. In Schedule 3, Parts I and II.
1981 c. 69.	Wildlife and Countryside Act 1981.	In section 34(6) the words “and Wales”. Section 38. In section 43(1A) the words “by the Countryside Commission”. In Schedule 13, paragraph 5.

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PART VII

ENACTMENTS RELATING TO HAZARDOUS SUBSTANCES

Commencement Information

- I7** Sch. 16 Pt. VII partly in force; Sch. 16 Pt. VII not in force at Royal Assent see s. 164(3); repeals relating to the Planning (Hazardous Substance) Act 1990 in Sch. 16 Pt. VII in force at 1.1.1992 by S.I. 1991/2829, art. 3; repeals relating to the Town and Country Planning (Scotland) Act 1972 in Sch. 16 Pt. VII in force at 18.2.1993 by S.I. 1993/274, art. 2(1); repeal in the Housing and Planning Act 1986 in Sch. 16 Pt. VII in force at 1.5.1993 by S.I. 1993/274, art. 3

Chapter	Short title	Extent of repeal
1972 c. 52.	Town and Country Planning (Scotland) Act 1972.	<p>In section 56A(1), the words “and to section 56B below”.</p> <p>Section 56B.</p> <p>In section 56E(2)(e) and 56K(5)(b), the words “or Health and Safety Commission”.</p> <p>In section 56F(1), the words “and (3)”.</p> <p>Section 56F(3).</p> <p>Section 56H(5).</p> <p>In section 56J(5), the words from “other” to “applies”.</p> <p>In section 56M(3), the words “Subject to subsection (4) below,”.</p> <p>Section 56M(4).</p> <p>In section 56N, in subsection (1)(b), the words from “or” to “would be” and subsection (2).</p> <p>In section 56O, the definition of “the appropriate body” and the word “and” immediately following.</p>
1986 c. 63.	Housing and Planning Act 1986.	In Part II of Schedule 7, in paragraph 8 the word “56B,”.
1989 c. 29.	Electricity Act 1989.	In Schedule 17, paragraph 37(1)(b).
1990 c. 10.	Planning (Hazardous Substances) Act 1990.	In section 1, the words “2 or”.

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Section 2.

Section 3(6).

In section 9(2)(e) and 18(2)(b), the words “or Health and Safety Commission”.

In section 11(7), the words “to the conditions that”.Section 13(7).

In section 15(1), the words from “other” to “applies”.

Section 20(6).

Section 21(7).

Section 27(4).

In section 28(1), the words “authority who are a” and the words “by virtue of section 1 or 3”.

In section 28(1)(b), the words “or but for section 2 would be”.

Section 28(2).

In section 29(6), the definition of “the appropriate body” and the word “and” immediately following that definition.

In section 30(1), the words “by virtue of section 1 or 3”.

Section 33.

In section 38(2), the words “(being a local planning authority)”.

In section 39(2), the entries for “the 1971 Act”, “the appropriate Minister” and “operational land”.

In section 39(4), the words “2,” and “and his undertaking a statutory undertaking”.

In section 39(5), the word “2,”, in the first place it occurs and the words following “undertaker” in the second place it occurs.

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1990 c. 11.	Planning (Consequential Provisions) Act 1990.	In section 39(6), the words “and their undertakings statutory undertakings”.Section 39(7) and (8). In Schedule 2, paragraph 82(2).
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PART VIII

ENACTMENTS RELATING TO DEPOSITS AT SEA

Commencement Information

18 Sch. 16 Pt. VIII in force at 1.4.2015 for specified purposes for S. by S.I. 2015/72, art. 2(3)

Chapter	Short title	Extent of repeal
1985 c. 48.	Food and Environment Protection Act 1985.	Section 5(c), (d) and (e)(iii). Section 6(1)(a)(iii). Schedule 4.

PART IX

MISCELLANEOUS ENACTMENTS

Commencement Information

19 Sch. 16 Pt. IX wholly in force; Sch. 16 Pt. IX partly in force at Royal Assent see s. 164(2); sch. 16 Pt. IX partly in force at 1.4.1992 by S.I 1992/266, art. 3; repeals in Sch. 16 Pt. IX relating to the Criminal Justice Act 1982 and the Criminal Justice Act 1988 in force at 18.2.1993 by S.I. 1993/274, art. 2(1)

Chapter	Short title	Extent of repeal
1906 c. 32.	Dogs Act 1906.	Section 4(1).
1974 c. 40.	Control of Pollution Act 1974.	Section 100.
1982 c. 45.	Civic Government (Scotland) Act 1982.	Section 128(1).
1982 c. 48.	Criminal Justice Act 1982.	Section 43.
1988 c. 9.	Local Government Act 1988.	Section 39(2) and (4).
1988 c. 33.	Criminal Justice Act 1988.	Section 58.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 30(4A) inserted by [2021 c. 30 s. 57\(2\)](#)
- s. 33ZB(10A) inserted by [2021 c. 30 s. 69\(3\)\(b\)](#)
- s. 34ZB(8A) inserted by [2021 c. 30 s. 69\(5\)\(b\)](#)
- s. 45A-45AZG substituted for s. 45A by [2021 c. 30 s. 57\(4\)](#)
- s. 46(2)(a)(b) substituted for words by [2021 c. 30 s. 57\(5\)](#)
- s. 106A inserted by [2023 c. 6 s. 41\(2\)](#)
- s. 161(2AA)(2AB) inserted by [2016 anaw 3 s. 69\(4\)](#)