STATUTORY INSTRUMENTS

# 1978 No. 954 (C. 23)

# PUBLIC HEALTH, ENGLAND AND WALES

# The Control of Pollution Act 1974 (Commencement No. 13) Order 1978

*Made* - - - *4th July* 1978

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(**a**) 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. 13) Order 1978.

**2.** The Interpretation Act 1889(**b**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

**3.** The following subsections of section 13 of the Control of Pollution Act 1974, namely—

(*a*) subsections (5) and (6) (which empower a waste collection authority to require, by notice, the provision on premises of receptacles for the storage of commercial or industrial waste, and provide for appeals to a magistrates' court against such notices),

(*b*) subsection (3) (which relates to the bringing and determination of appeals), so far as it applies to an appeal brought under the said subsection (6) against a notice served under the said subsection (5),

(*c*) subsection (7) (which provides for the making of regulations), and

(*d*) subsection (8) (which extends references to receptacles in section 13 to include holders for receptacles) so far as it relates to the said subsections (3), (5), (6) and (7),

shall come into operation on 1st August 1978.

*Peter Shore,*
30th June 1978. Secretary of State for the Environment.

*John Morris,*
4th July 1978. Secretary of State for Wales.

(**a**) 1974 c. 40. (**b**) 1889 c. 63.

## EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order, which applies to England and Wales, brings into force on 1st August 1978 certain provisions of the Control of Pollution Act 1974. These relate to the provision, by occupiers of premises, of receptacles for the storage of commercial or industrial waste in cases where the waste, if not so stored, is likely to cause a nuisance or to be detrimental to local amenities.

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