STATUTORY INSTRUMENTS

1975 No. 2118 (C. 60)

PUBLIC HEALTH, ENGLAND AND WALES
PUBLIC HEALTH, SCOTLAND
PUBLIC HEALTH, NORTHERN IRELAND

The Control of Pollution Act 1974 (Commencement No. 4) Order 1975

Made - - - 10*th December* 1975

The Secretary of State for the Environment (as respects England), the Secretary of State for Wales (as respects Wales), the Secretary of State for Scotland (as respects Scotland) and the Secretary of State for Northern Ireland (as respects Northern Ireland), 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. 4) Order 1975.

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 provisions of the Control of Pollution Act 1974, which are specified in column 1 of the Schedule to this order (as respects England, Wales, Scotland and Northern Ireland as specified in Part I, as respects England, Wales and Scotland only as specified in Part II, as respects England and Wales only as specified in Part III, and as respects Scotland only as specified in Part IV of the said Schedule respectively) and which relate to the subject matter specified in column 2 thereof shall come into force on 1st January 1976.

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

SCHEDULE

PART I

ENGLAND, WALES, SCOTLAND AND NORTHERN IRELAND

Provisions of the Act	Subject matter of provisions
In Part IV	
Section 75	Regulations about motor fuel;
Section 77	Provisions supplementary to ss. 75 and 76;
In Part VI	
Section 100	Power to prohibit or restrict the importation and use etc of injurious substances;
Section 101	Disposal of waste etc by Atomic Energy Authority.

PART II

ENGLAND, WALES AND SCOTLAND

Provisions of the Act	Subject matter of provisions
In Part I	
Section 12(5) so far as it defines "privy" for the purposes of section 30(4)	Collection of waste;
Section 25	Disposal of waste underground by Coal Board etc;
Section 29	Modification of Parts I and II to avoid duplication of control;
Section 30	Interpretation etc of Part I;
In Part IV	
Section 78	Cable burning;
In Part VI	
Section 99	Alteration of penalties;
Section 102	Power to give effect to international agreements;
Section 103	Adaptation of enactments to metric units;
Section 108(2) so far as it applies to the provisions of Schedule 4 which are specified below:— Clean Air Act 1956(a) In section 16(1), in the proviso, paragraph 1 Criminal Justice Act 1967(b) the entries relating to sections 27(1) and 27(2) of the Clean Air Act 1956	Minor and consequential amendments of enactments and repeals.
Schedule 2	

(a) 4 & 5 Eliz. 2. c. 52.

(b) 1967 c. 80.

PART III

ENGLAND AND WALES

Provisions of the Act	Subject matter of provisions
In Part I	
Section 12(6) in its application to section 21	Collection of waste;
Section 12(7) in its application to sections 21 and 26	Collection of waste;
Section 17	Special provisions with respect to certain dangerous or intractable waste;
Section 19	Powers of disposal authorities as respects other waste;
Section 20	Reclamation of waste;
Section 21	Production of heat and electricity from waste etc;
Section 26	Outfall pipes for sewage disposal works;
Section 27(1)(*a*) and 27(2)	Interference with refuse tips and dustbins etc;
Section 28 in its application to sections 12(6), 21(4) and 26	Supplementary provisions relating to pipes;
In Part II	
Section 49	Deposits and vegetation in rivers etc;
Section 50	Investigation of water pollution problems arising from closure of mines;
Section 56	Interpretation etc. of Part II;
In Part III	
Section 57	Periodical inspections by local authorities;
Section 58	Summary proceedings by local authorities;
Section 59	Summary proceedings by occupier of premises;
Section 60	Control of noise on construction sites;
Section 61	Prior consent for work on construction sites;
Section 62	Noise in streets;
Section 63	Designation of zones;

Provisions of the Act	Subject matter of provisions
Section 64	Register of noise levels;
Section 65	Noise exceeding registered level;
Section 66	Reduction of noise levels;
Section 67	New buildings etc;
Section 68	Noise from plant or machinery;
Section 69	Execution of works by local authority;
Section 70	Appeals to Secretary of State and magistrates' court;
Section 71	Codes of practice for minimising noise;
Section 72	"Best practicable means";
Section 73	Interpretation and other supplementary provisions;
Section 74	Penalties;
Schedule 1	
In Part IV	
Section 76	Regulations about sulphur content of oil fuel for furnaces or engines;
Section 79	Research and publicity;
Section 80	Notices requiring information about air pollution;
Section 81	Appeals against notices;
Section 82	Regulations about research and publicity;
Section 83	Provision by local authorities of information for Secretary of State;
Section 84	Interpretation of Part IV;
In Part V	
Section 85	Appeals to Crown Court etc;
Section 86	Protection of members and officers of authorities from personal liability;
Section 87	Miscellaneous provisions relating to legal proceedings;
Section 89	Expenses and receipts of Secretary of State etc;

Provisions of the Act	Subject matter of provisions
Section 90	Establishment charges and interest in respect of certain expenses of authorities;
Section 91	Rights of entry and inspection;
Section 92	Provision supplementary to s. 91;
Section 93	Power of authorities to obtain information;
Section 94	Prohibition of disclosure of information;
Section 96	Local inquiries;
Section 97	Default powers;
Section 98	Interpretation of Part V;
In Part VI	
Section 108(1) so far as it applies to the provisions of Schedule 3 which are specified below	Minor and consequential amendments of enactments and repeals;
Section 108(2) so far as it applies to the provisions of Schedule 4 which are specified below	
Section 108(3)	Power to repeal etc local Acts;
In Schedule 3	
Paragraphs 6, 8, 10, 16, 19, 22, 26, 28 and 29	
In Schedule 4	
the entry relative to the Administration of Justice (Appeals) Act 1934(a)	
Public Health (Drainage of Trade Premises) Act 1937(b) Sections 2(4) and 3(2) In section 7(1) the proviso Section 11 In section 14(1) the definition of "interested body"	
Rivers (Prevention of Pollution) Act 1951(c) Section 4	
Clean Air Act 1956 In section 25, paragraphs (*a*) and (*b*) In section 26, the words "manufacturing process or" In Schedule 2, the amendments of sections 3, 8 and 18 of the Alkali Act(d)	

(a) 24 & 25 Geo. 5. c. 40.
(b) 1 Edw. 8 & 1 Geo. 6. c. 40.
(c) 14 & 15 Geo. 6. c. 64.
(d) 6 Edw. 7. c. 14.

Provisions of the Act	Subject matter of provisions
Noise Abatement Act 1960(a)	
Public Health Act 1961(b) Sections 55(4) and 57(3)	
London Government Act 1963(c) Section 40(4)(*g*) In Part I of Schedule 11, paragraph 32	
Criminal Justice Act 1967 the entries relating to sections 94(2) and 95(1) of the Public Health Act 1936(d)	

PART IV

SCOTLAND

Provisions of the Act	Subject matter of provisions
In Part VI Section 106	General application to Scotland.

Anthony Crosland,
Secretary of State for the Environment.

4th December 1975.

John Morris,
Secretary of State for Wales.

10th December 1975.

(a) 8 & 9 Eliz. 2. c. 68.
(b) 1961 c. 64.
(c) 1963 c. 33.
(d) 26 Geo. 5 & 1 Edw. 8. c. 49.

William Ross,
Secretary of State for Scotland.

9th December 1975.

Merlyn Rees,
Secretary of State for Northern Ireland.

9th December 1975.

EXPLANATORY NOTE

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

This Order brings certain provisions of the Control of Pollution Act 1974 into force on 1st January 1976. Some apply to the United Kingdom as a whole and others to part only thereof, the Schedule showing these divided up accordingly.

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