STATUTORY INSTRUMENTS

1984 No. 288

ROAD TRAFFIC

The Isles of Scilly (Refuse Disposal (Amenity) Act 1978) Order 1984.

Made - - -	*7th March* 1984
Coming into Operation	*1st April* 1984

The Secretary of State, after consultation with the Council of the Isles of Scilly, in exercise of his powers under section 9 of the Refuse Disposal (Amenity) Act 1978(a) and of all other powers enabling him in that behalf, hereby orders as follows:—

Citation and commencement

1. This order may be cited as the Isles of Scilly (Refuse Disposal (Amenity) Act 1978) Order 1984 and shall come into operation on 1st April 1984.

Application of certain provisions of Refuse Disposal (Amenity) Act 1978

2. The provisions of the Refuse Disposal (Amenity) Act 1978 mentioned in column 1 of the Schedule hereto shall apply to the Isles of Scilly subject to the modifications set out in column 2 of that Schedule as if the Isles were a district.

(a) 1978 c.3.

SCHEDULE

PROVISIONS APPLIED (1)	MODIFICATIONS (2)
Section 2(1) and (2)	—
Section 3(1) to (3), (5) and (8)	In subsection (3) the words "within the meaning of the Highways Act 1980" shall be omitted.
Section 4(1) to (3) and (5) to (7)	—
Section 5(1) to (4)	In subsections (1) and (3) for the words 'the appropriate authority' there shall be substituted the words 'the local authority'; and in subsection (4) the definition of "the appropriate authority" shall be omitted.
Section 6(1) to (4), (6) and (8)	In subsection (6) paragraph (*b*) shall be omitted and in subsection (8) paragraph (*b*) shall be omitted.
Section 10	—
Section 11	(*a*) the definitions of "the Common Council" and "highway" shall be omitted; (*b*) there shall be inserted immediately before the definition of "licence" the following definition — ' " carriageway" means a way constituting or comprised in a highway being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles;'; (*c*) for the definition of "local authority" there shall be substituted '"local authority" means the Council of the Isles of Scilly;'; (*d*) for the definition of "the relevant date" there shall be substituted the following definition — '"the relevant date" means such day as the Secretary of State may by order appoint.'.

Patrick Jenkin,
Secretary of State for the Environment.

7th March 1984.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 9 of the Refuse Disposal (Amenity) Act 1978 empowers the Secretary of State, after consultation with the Council of the Isles of Scilly, to provide by order that any provision of the Act specified in the order shall apply to the Isles, subject to such modifications as may be so specified. This order applies to the Isles the provisions of the Act set out in the Schedule to the order, modified as also set out therein, as if the Isles were a district. These provisions relate to the unauthorised dumping of vehicles and other refuse and the removal of such vehicles and refuse by local authorities.

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