

Status: This version of this schedule contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the
Control of Pollution Act 1974, SCHEDULE 3. (See end of Document for details)

SCHEDULES

SCHEDULE 3 **E+W+S**

Section 108.

MINOR AND CONSEQUENTIAL AMENDMENTS OF ENACTMENTS

The Alkali, &c. Works Regulation Act 1906

F1

Textual Amendments

F1 Sch. 3 paras. 1-4 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 13](#)

F12

Textual Amendments

F1 Sch. 3 paras. 1-4 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 13](#)

F13

Textual Amendments

F1 Sch. 3 paras. 1-4 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 13](#)

F14

Textual Amendments

F1 Sch. 3 paras. 1-4 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 13](#)

F25

Textual Amendments

F2 Sch. 3 para. 5 repealed by [Salmon and Freshwater Fisheries Act 1975 \(c. 51\)](#), s. 42(1), [Sch. 5](#)

The ^{M1}Public Health Act 1936

Marginal Citations

M1 1936 c. 49.

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- ^{x1}^{F3}6 In section 3(1)(b) of the Public Health Act 1936 (under which an order constituting a port health authority may, among other things, assign to the authority any functions conferred on a local authority by that Act) after the words “this Act” there shall be inserted the words “or the Control of Pollution Act 1974”.]

Editorial Information

- X1** The text of Sch. 3 paras 6, 19–21, 28, 30 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

- F3** Sch. 3 para. 6 repealed (E.W.) by [Public Health \(Control of Disease\) Act 1984 \(c. 22, SIF 100:1\)](#), s. 78, [Sch. 3](#)

PROSPECTIVE

- ^{x2}7 Sections 79 and 80 of that Act (which relate to the removal of noxious matter, manure and refuse from premises) shall cease to have effect.

Editorial Information

- X2** The text of Sch. 3 paras 1, 2, 3(1), 4(1), 7—16, 18, 23, 24, 26, 31 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The ^{M2}Public Health (Drainage of Trade Premises) Act 1937

Marginal Citations

- M2** [1937 c. 40](#).

- ^{x3}^{F4}8 Sections 2(4) and 3(2) of the Public Health (Drainage of Trade Premises) Act 1937 and the proviso in section 7(1) of that Act (which relate to the protection of interested bodies within the meaning of that Act) shall cease to have effect.]

Editorial Information

- X3** The text of Sch. 3 paras 1, 2, 3(1), 4(1), 7—16, 18, 23, 24, 26, 31 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

- F4** Sch. 3 para. 8 repealed (E.W.) (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60\)](#), ss. 3(1), 4(2), [Sch. 3 Pt. I](#) (with Sch. 2 paras. 10, 14(1), 15)

- ^{x4}^{F5}9 In section 4(5) of that Act (under which disputes arising under that Act as to the discharges of trade effluent which were made during such a period as is mentioned in subsections (1) or (2) of that section are to be determined by the Secretary of

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State) for the words “this Act” there shall be substituted the words “section 43 of the Control of Pollution Act 1974” and for the words “is mentioned” there shall be substituted the words “before the repeal of those subsections by that Act was mentioned”.]

Editorial Information

- X4** The text of Sch. 3 paras 1, 2, 3(1), 4(1), 7—16, 18, 23, 24, 26, 31 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

- F5** Sch. 3 para. 9 repealed (E.W.) (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60), ss. 3(1), 4(2), **Sch. 3 Pt. I** (with Sch. 2 paras. 10, 14(1), 15)

- ^{x5}**F6**¹⁰ In section 10(1) of that Act (which authorises the taking of samples of trade effluent which is passing from premises into a public sewer) after the word “passing” there shall be inserted the words “, either directly or through a private drain or sewer.”.]

Editorial Information

- X5** The text of Sch. 3 paras 1, 2, 3(1), 4(1), 7—16, 18, 23, 24, 26, 31 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

- F6** Sch. 3 para. 10 repealed (E.W.) (1.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60), ss. 3(1), 4(2), **Sch. 3 Pt. I** (with Sch. 2 paras. 10, 14(1), 15)

The ^{M3}Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951

Marginal Citations

- M3** 1951 c. 26.

- ^{F7F8}**11**

Textual Amendments

- F7** Sch. 3 para. 11 repealed (15.11.2006) by [The Scotland Act 1998 \(River Tweed\) Order 2006](#) (S.I. 2006/2913), art. 1(2), **Sch. 4 Pt. 2**
- F8** Sch. 3 para. 11 repealed (S.) (1.4.2005) by [Salmon and Freshwater Fisheries \(Consolidation\) \(Scotland\) Act 2003](#) (asp 15), s. 71(2), **Sch. 4 Pt. 2** (with s. 71(3)(4)(6)); S.S.I. 2005/174, art. 2

The Rivers (Prevention of Pollution) (Scotland) Act 1951

- ^{F9}**12**

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Textual Amendments

F9 Sch. 3 para. 12 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**

^{F10}13

Textual Amendments

F10 Sch. 3 para. 13 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**

^{x6}14 In section 18 of that Act (which relates to the provision and obtaining of information by river purification authorities), at the end there shall be inserted the following subsection—

“(6) Notwithstanding anything in this Act, any tidal waters adjoining the shore of the area of a river purification authority and any underground waters within the area of such an authority shall be deemed to be included in the expression “stream” for the purposes of the authority’s powers under this section.”

Editorial Information

X6 The text of Sch. 3 paras 1, 2, 3(1), 4(1), 7—16, 18, 23, 24, 26, 31 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

^{x7}15 In section 19 of that Act (which empowers river purification authorities to take samples of effluents), in subsection (3), after the word “authority” there shall be inserted the words “and any underground waters within the area of such an authority”.

Editorial Information

X7 The text of Sch. 3 paras 1, 2, 3(1), 4(1), 7—16, 18, 23, 24, 26, 31 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The ^{M4}Clean Air Act 1956

Marginal Citations

M4 1956 c. 52.

^{F11}16

Textual Amendments

F11 Sch. 3 para. 16 repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), **Sch. 6**

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The ^{M5}Rivers (Prevention of Pollution) Act 1961

Marginal Citations

M5 1961 c. 50

- 17 In section 10(1) of the Rivers (Prevention of Pollution) Act 1961 (which among other things relates to inspection chambers provided in compliance with conditions imposed under that Act) and in section 12(1)(ii) of that Act (which authorises the disclosure in connection with the execution of that Act of information of which the disclosure is restricted by that section) the reference to that Act shall include a reference to this Act.

The ^{M6}Public Health Act 1961

Marginal Citations

M6 1961 c. 64

- ^{F12}18

Textual Amendments

F12 Sch. 3 para. 18 repealed (E.W.) (6.4.2008) by [The Environmental Permitting \(England and Wales\) Regulations 2007 \(S.I. 2007/3538\)](#), reg. 1(1)(b), **Sch. 23** (with reg. 72, Sch. 4)

The ^{M7}London Government Act 1963

Marginal Citations

M7 1963 c. 33.

- ^{X8}^{F13}19 In section 41(1)(b) of the London Government Act 1963 (which enables the functions, rights and liabilities of a local authority under any of the provisions there mentioned to be assigned to the port health authority for the Port of London) after the words “section 87 of this Act” there shall be inserted the words “and under any provision of the Control of Pollution Act 1974”.]

Editorial Information

X8 The text of Sch. 3 paras 6, 19–21, 28, 30 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

F13 Sch. 3 para. 19 repealed (E.W.) by [Public Health \(Control of Disease\) Act 1984 \(c. 22, SIF 100:1\)](#), s. 78, **Sch. 3**

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The ^{M8}Water Resources Act 1963

Marginal Citations

M8 1963 c. 38.

- ^{x9}^{F14}²⁰ In section 77(2) of the Water Resources Act 1963 (which refers to sewage effluent within the meaning of the Rivers (Prevention of Pollution) Act 1951) for the words “the Rivers (Prevention of Pollution) Act 1951” there shall be substituted the words “Part II of the Control of Pollution Act 1974”.]

Editorial Information

X9 The text of Sch. 3 paras 6, 19–21, 28, 30 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

F14 Sch. 3 paras. 20, 21 repealed (E.W.) by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)-(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I**

- ^{x10}^{F15}²¹ In section 113(1) of that Act (which authorises water authorities to take samples of certain effluents) for the words “Clean Rivers (Estuaries and Tidal Waters) Act 1960” in paragraph (c) there shall be substituted the words “Part II of the Control Pollution Act 1974”.]

Editorial Information

X10 The text of Sch. 3 paras 6, 19–21, 28, 30 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

F15 Sch. 3 paras. 20, 21 repealed (E.W.) by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)-(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I**

22 **F16**

Textual Amendments

F16 Sch. 3 para. 22 repealed by [Local Government, Planning and Land Act 1980 \(c. 65\)](#), **Sch. 24 Pt. II**

The ^{M9}Spray Irrigation (Scotland) Act 1964

Marginal Citations

M9 1964 c. 56.

- ^{x11}²³ In section 9(2) of the Spray Irrigation (Scotland) Act 1964 (which among other things attracts for the purposes of that Act certain powers of entry contained in the

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^{M10}Rivers (Prevention of Pollution) (Scotland) Act 1951), for the words “20(1)(b) of the said Act of 1951 to an authorisation granted under” there shall be substituted the words “91(1)(a)(iii) of the Control of Pollution Act 1974 to any provision of”.

Editorial Information

X11 The text of Sch. 3 paras 1, 2, 3(1), 4(1), 7—16, 18, 23, 24, 26, 31 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

M10 1951 c. 66.

The ^{M11}Rivers (Prevention of Pollution) (Scotland) Act 1965

Marginal Citations

M11 1965 c. 13.

^{X12}24 In section 10(1) of the Rivers (Prevention of Pollution) (Scotland) Act 1965 (which contains provisions with respect to samples of effluent taken at an inspection chamber provided in compliance with a condition imposed under that Act of section 28 of the Rivers (Prevention of Pollution) (Scotland) Act 1951) for the words “this Act or section 28 of the principal Act” there shall be substituted the words “sections 34 to 40 of the Control of Pollution Act 1974”.

Editorial Information

X12 The text of Sch. 3 paras 1, 2, 3(1), 4(1), 7—16, 18, 23, 24, 26, 31 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

25 **F17**

Textual Amendments

F17 Sch. 3 para. 25 repealed by [Refuse Disposal \(Amenity\) Act 1978 \(c. 3\)](#), [Sch. 2](#)

The ^{M12}Hovercraft Act 1968

Marginal Citations

M12 1968 c. 59.

^{X13}26 In section 1(1)(g) of the Hovercraft Act 1968 for the words “no proceedings in pursuance of the Noise Abatement Act 1960” there shall be substituted the words “no proceedings in pursuance of Part III of the Control of Pollution Act 1974”.

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- X13** The text of Sch. 3 paras 1, 2, 3(1), 4(1), 7—16, 18, 23, 24, 26, 31 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The Water Act 1973

- [^{F18}27 For the purposes of section 14 of the Water Act 1973 (under which, among other things, functions of local authorities with respect to sewerage and sewage disposal, including certain functions under Part XII of the Public Health Act 1936, were transferred to water authorities), section 306 of the said Act of 1936 (which related to the compulsory purchase of land was contained in the said Part XII) shall have effect from 31st March 1974 as if that section had not been repealed by the Local Government Act 1972.]

Textual Amendments

- F18** Sch. 3 paras. 27-30 repealed (E.W.) by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)-(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I**

- ^{X14}[^{F19}28 In subsection (12) of section 24 of that Act (which relates to reports of surveys prepared by water authorities under that section) after paragraph (a) there shall be inserted the following paragraph—
 “(aa) shall secure that a copy of each such report and of all such amendments is available at the principal office of the authority for inspection by the public free of charge at all reasonable hours.”]

Editorial Information

- X14** The text of Sch. 3 paras 6, 19–21, 28, 30 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

- F19** Sch. 3 paras. 27-30 repealed (E.W.) by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)-(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I**

- [^{F20}29 In section 36(3) of that Act (which among other things provides that Part II of Schedule 7 to that Act shall have effect with respect to the making of byelaws by water authorities under any enactment shall be construed as including a reference to any enactment passed after that Act.)]

Textual Amendments

- F20** Sch. 3 paras. 27-30 repealed (E.W.) by [Water Act 1989 \(c. 15, SIF 130\)](#), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)-(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. I**

- ^{X15}[^{F21}30 In paragraph 17(2) of Schedule 7 to that Act (which relates to the confirmation of byelaws made by a water authority under section 5 of the Rivers (Prevention

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of Pollution) Act 1951) for the words “section 5 of the ^{M13}Rivers (Prevention of Pollution) Act 1951” there shall be substituted the words “section 31(6) or 33(1) of the Control of Pollution Act 1974” and after the words “a stream” there shall be inserted the words “or the controlled waters (within the meaning of Part 11 of that Act)”.]

Editorial Information

X15 The text of Sch. 3 paras 6, 19–21, 28, 30 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Textual Amendments

F21 Sch. 3 paras. 27-30 repealed (E.W.) by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 190, 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58, **Sch. 27 Pt. 1**

Marginal Citations

M13 1951 c. 64.

PROSPECTIVE

The Local Government (Scotland) Act 1973

^{F22}31

Textual Amendments

F22 Sch. 3 para. 31 repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt. X** Group 2

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