

Status: Point in time view as at 18/10/2006.

Changes to legislation: Environmental Protection Act 1990, Paragraph 14 is up to date with all changes known to be in force on or before 10 September 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)

SCHEDULES

SCHEDULE 15

CONSEQUENTIAL AND MINOR AMENDMENTS OF ENACTMENTS

Workplace emissions into the air

- 14 Section 5 of the ^{M1}Health and Safety at Work etc. Act 1974 (general duty in relation to harmful emissions into the air from prescribed premises) shall be amended by the insertion—
- (a) in subsection (1), at the beginning, of the words “Subject to subsection (5) below,”; and
 - (b) after subsection (4), of the following subsections—
 - “(5) The foregoing provisions of this section shall not apply in relation to any process which is a prescribed process as from the date which is the determination date for that process.
 - (6) For the purposes of subsection (5) above, the “determination date” for a prescribed process is—
 - (a) in the case of a process for which an authorisation is granted, the date on which the enforcing authority grants it, whether in pursuance of the application or, on an appeal, of a direction to grant it;
 - (b) in the case of a process for which an authorisation is refused, the date of the refusal or, on an appeal, of the affirmation of the refusal.
 - (7) In subsections (5) and (6) above “authorisation”, “enforcing authority” and “prescribed process” have the meaning given in section 1 of the Environmental Protection Act 1990 and the reference to an appeal is a reference to an appeal under section 15 of that Act.”

Commencement Information

II Sch. 15, para. 14 in force at 1. 4. 1991, see s. 164(3) and S.I. 1991/1042, art. 2

Marginal Citations

M1 1974 c. 37.

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