



Clean Neighbourhoods and Environment Act 2005

2005 CHAPTER 16

PART 9

MISCELLANEOUS

Use of fixed penalty receipts

98 Sections [F¹95A,] 96 and 97: supplementary

- (1) In [F²section 97], “appropriate person” means—
 - (a) the Secretary of State, in relation to England;
 - (b) the National Assembly for Wales, in relation to Wales.
- (2) The powers to make regulations conferred by sections [F³95A,] 96 and 97 include—
 - (a) power to make different provision for different purposes (including different provision for different authorities or different descriptions of authority);
 - (b) power to make consequential, supplementary, incidental and transitional provision and savings.
- (3) Regulations under sections [F⁴95A,] 96 and 97 must be made by statutory instrument.
- (4) The Secretary of State may not make a statutory instrument containing regulations under [F⁵section 95A] or 97 unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

Textual Amendments

- F1** Word in s. 98 heading inserted (1.4.2024) by [The Waste Enforcement \(Fixed Penalty Receipts\) \(Amendment\) \(England and Wales\) Regulations 2024 \(S.I. 2024/365\)](#), regs. 1(1), **3(c)(i)**
- F2** Words in s. 98(1) substituted (1.4.2024) by [The Waste Enforcement \(Fixed Penalty Receipts\) \(Amendment\) \(England and Wales\) Regulations 2024 \(S.I. 2024/365\)](#), regs. 1(1), **3(c)(ii)**

Changes to legislation: *Clean Neighbourhoods and Environment Act 2005, Section 98 is up to date with all changes known to be in force on or before 22 May 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) View outstanding changes*

- F3** Word in s. 98(2) inserted (1.4.2024) by The Waste Enforcement (Fixed Penalty Receipts) (Amendment) (England and Wales) Regulations 2024 (S.I. 2024/365), regs. 1(1), **3(c)(iii)**
- F4** Word in s. 98(3) inserted (1.4.2024) by The Waste Enforcement (Fixed Penalty Receipts) (Amendment) (England and Wales) Regulations 2024 (S.I. 2024/365), regs. 1(1), **3(c)(iii)**
- F5** Words in s. 98(4) substituted (1.4.2024) by The Waste Enforcement (Fixed Penalty Receipts) (Amendment) (England and Wales) Regulations 2024 (S.I. 2024/365), regs. 1(1), **3(c)(iv)**

Commencement Information

- I1** S. 98 in force at 14.3.2006 for E. by S.I. 2006/795, art. 2(1), **Sch. 1**
- I2** S. 98 in force at 16.3.2006 for specified purposes for W. by S.I. 2006/768, **art. 3**
- I3** S. 98 in force at 15.3.2007 (being the date on which S.I. 2007/739 came into force) for W. in so far as not already in force by S.I. 2006/2797, **art. 4(nn)**

Changes to legislation:

Clean Neighbourhoods and Environment Act 2005, Section 98 is up to date with all changes known to be in force on or before 22 May 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.

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Commencement Orders yet to be applied to the Clean Neighbourhoods and Environment Act 2005

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2007/120 art. 3](#) Amendment to earlier commencing [S.I. 2006/2797](#)