



Control of Pollution Act 1974

1974 CHAPTER 40

PART II

POLLUTION OF WATER

[^{F1} Control of entry of polluting matter and effluents into water]

[^{F1}30G Prohibition of certain discharges by notice or regulations.

- (1) For the purposes of section 30F above a discharge of any effluent or other matter is, in relation to any person, in contravention of a prohibition imposed under this section if, subject to the following provisions of this section—
 - (a) SEPA has given that person notice prohibiting him from making or, as the case may be, continuing the discharge; or
 - (b) SEPA has given that person notice prohibiting him from making or, as the case may be, continuing the discharge unless specified conditions are observed, and those conditions are not observed.
- (2) For the purposes of section 30F above a discharge of any effluent or other matter is also in contravention of a prohibition imposed under this section if the effluent or matter discharged—
 - (a) contains a prescribed substance or a prescribed concentration of such a substance; or
 - (b) derives from a prescribed process or from a process involving the use of prescribed substances or the use of such substances in quantities which exceed the prescribed amounts.
- (3) Nothing in subsection (1) above shall authorise the giving of a notice for the purposes of that subsection in respect of discharges from a vessel; and nothing in any regulations made by virtue of subsection (2) above shall require any discharge from a vessel to be treated as a discharge in contravention of a prohibition imposed under this section.
- (4) A notice given for the purposes of subsection (1) above shall expire at such time as may be specified in the notice.

Status: Point in time view as at 11/08/2004. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Control of Pollution Act 1974, Section 30G. (See end of Document for details)

- (5) The time specified for the purposes of subsection (4) above shall not be before the end of the period of three months beginning with the day on which the notice is given, except in a case where SEPA is satisfied that there is an emergency which requires the prohibition in question to come into force at such time before the end of that period as may be so specified.
- (6) Where, in the case of such a notice for the purposes of subsection (1) above as (but for this subsection) would expire at a time at or after the end of the said period of three months, an application is made before that time for a consent in pursuance of section 34 of this Act in respect of the discharge to which the notice relates, that notice shall be deemed not to expire until the result of the application becomes final—
- (a) on the grant or withdrawal of the application;
 - (b) on the expiration, without the bringing of an appeal with respect to the decision on the application, of any period prescribed by virtue of section 39(2) below as the period within which any such appeal must be brought; or
 - (c) on the withdrawal or determination of any such appeal.]

Textual Amendments

F1 Ss. 30F-30J inserted (S.) (1.4.1996) by 1995 c. 25, s. 106, **Sch. 16 para. 2** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**

Status:

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