



# Environmental Protection Act 1990

## 1990 CHAPTER 43

### PART I

#### INTEGRATED POLLUTION CONTROL AND AIR POLLUTION CONTROL BY LOCAL AUTHORITIES

##### *Publicity*

#### **20 Public registers of information.**

- (1) It shall be the duty of each enforcing authority, as respects prescribed processes for which it is the enforcing authority, to maintain, in accordance with regulations made by the Secretary of State, a register containing prescribed particulars of or relating to—
- (a) applications for authorisations made to that authority;
  - (b) the authorisations which have been granted by that authority or in respect of which the authority has functions under this Part;
  - (c) variation notices, enforcement notices and prohibition notices issued by that authority;
  - (d) revocations of authorisations effected by that authority;
  - (e) appeals under section 15 above;
  - (f) convictions for such offences under section 23(1) below as may be prescribed;
  - (g) information obtained or furnished in pursuance of the conditions of authorisations or under any provision of this Part;
  - (h) directions given to the authority under any provision of this Part by the Secretary of State; and
  - (i) such other matters relating to the carrying on of prescribed processes or any pollution of the environment caused thereby as may be prescribed;
- but that duty is subject to sections 21 and 22 below.
- (2) Subject to subsection (4) below, the register maintained by a local enforcing authority shall also contain prescribed particulars of such information contained in any register maintained by the chief inspector or river purification authority as relates to the carrying on in the area of the authority of prescribed processes in relation to which

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the chief inspector or river purification authority has functions under this Part; and the chief inspector or river purification authority shall furnish each authority with the particulars which are necessary to enable it to discharge its duty under this subsection.

- (3) In Scotland, the register maintained by—
- (a) the chief inspector shall also contain prescribed particulars of such information contained in any register maintained by a river purification authority as relates to the carrying on in the area of the authority of prescribed processes in relation to which the authority has functions under this Part, and each authority shall furnish the chief inspector with the particulars which are necessary to enable him to discharge his duty under this section;
  - (b) each river purification authority shall also contain prescribed particulars of such information contained in any register maintained by the chief inspector as relates to the carrying on in the area of the authority of prescribed processes in relation to which the chief inspector has functions under this Part, and the chief inspector shall furnish each authority with the particulars which are necessary to enable them to discharge their duty under this section.
- (4) Subsection (2) above does not apply to port health authorities but each local enforcing authority whose area adjoins that of a port health authority shall include corresponding information in the register maintained by it; and the chief inspector shall furnish each such local enforcing authority with the particulars which are necessary to enable it to discharge its duty under this subsection.
- (5) Where information of any description is excluded from any register by virtue of section 22 below, a statement shall be entered in the register indicating the existence of information of that description.
- (6) The Secretary of State may give to enforcing authorities directions requiring the removal from any register of theirs of any specified information not prescribed for inclusion under subsection (1) or (2) above or which, by virtue of section 21 or 22 below, ought to have been excluded from the register.
- (7) It shall be the duty of each enforcing authority—
- (a) to secure that the registers maintained by them under this section are available, at all reasonable times, for inspection by the public free of charge; and
  - (b) to afford to members of the public facilities for obtaining copies of entries, on payment of reasonable charges.
- (8) Registers under this section may be kept in any form.
- (9) For the purpose of enabling the National Rivers Authority to discharge its duty under <sup>F1</sup>section 190(1)(f) of the Water Resources Act 1991] to keep corresponding particulars in registers under that section, the chief inspector shall furnish the Authority with the particulars contained in any register maintained by him under this section.
- (10) In this section “prescribed” means prescribed in regulations under this section.

#### **Textual Amendments**

**F1** Words in s. 20(9) substituted (1. 12. 1991) by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), ss. 2, 4(2), [Sch. 1 para. 56\(3\)](#)

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## 20 Public registers of information. **E+W+S**

- (1) It shall be the duty of each enforcing authority, as respects prescribed processes for which it is the enforcing authority, to maintain, in accordance with regulations made by the Secretary of State, a register containing prescribed particulars of or relating to—
- (a) applications for authorisations made to that authority;
  - (b) the authorisations which have been granted by that authority or in respect of which the authority has functions under this Part;
  - (c) variation notices, enforcement notices and prohibition notices issued by that authority;
  - (d) revocations of authorisations effected by that authority;
  - (e) appeals under section 15 above;
  - (f) convictions for such offences under section 23(1) below as may be prescribed;
  - (g) information obtained or furnished in pursuance of the conditions of authorisations or under any provision of this Part;
  - (h) directions given to the authority under any provision of this Part by the Secretary of State; and
  - (i) such other matters relating to the carrying on of prescribed processes or any pollution of the environment caused thereby as may be prescribed;
- but that duty is subject to sections 21 and 22 below.
- (2) Subject to subsection (4) below, the register maintained by a local enforcing authority shall also contain prescribed particulars of such information contained in any register maintained by the chief inspector or river purification authority as relates to the carrying on in the area of the authority of prescribed processes in relation to which the chief inspector or river purification authority has functions under this Part; and the chief inspector or river purification authority shall furnish each authority with the particulars which are necessary to enable it to discharge its duty under this subsection.
- (3) In Scotland, the register maintained by—
- (a) the chief inspector shall also contain prescribed particulars of such information contained in any register maintained by a river purification authority as relates to the carrying on in the area of the authority of prescribed processes in relation to which the authority has functions under this Part, and each authority shall furnish the chief inspector with the particulars which are necessary to enable him to discharge his duty under this section;
  - (b) each river purification authority shall also contain prescribed particulars of such information contained in any register maintained by the chief inspector as relates to the carrying on in the area of the authority of prescribed processes in relation to which the chief inspector has functions under this Part, and the chief inspector shall furnish each authority with the particulars which are necessary to enable them to discharge their duty under this section.
- (4) Subsection (2) above does not apply to port health authorities but each local enforcing authority whose area adjoins that of a port health authority shall include corresponding information in the register maintained by it; and the chief inspector shall furnish each such local enforcing authority with the particulars which are necessary to enable it to discharge its duty under this subsection.
- (5) Where information of any description is excluded from any register by virtue of section 22 below, a statement shall be entered in the register indicating the existence of information of that description.

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- (6) The Secretary of State may give to enforcing authorities directions requiring the removal from any register of theirs of any specified information not prescribed for inclusion under subsection (1) or (2) above or which, by virtue of section 21 or 22 below, ought to have been excluded from the register.
- (7) It shall be the duty of each enforcing authority—
- (a) to secure that the registers maintained by them under this section are available, at all reasonable times, for inspection by the public free of charge; and (b) to afford to members of the public facilities for obtaining copies of entries, on payment of reasonable charges.
- (8) Registers under this section may be kept in any form.
- (9) For the purpose of enabling the National Rivers Authority to discharge its duty under section 117(l)(f) of the <sup>M1</sup>Water Act 1989 to keep corresponding particulars in registers under that section, the chief inspector shall furnish the Authority with the particulars contained in any register maintained by him under this section.
- (10) In this section “prescribed” means prescribed in regulations under this section.

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**Marginal Citations**

**M1** 1989 c. 15.

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