



Environmental Protection Act 1990

1990 CHAPTER 43

PART II

WASTE ON LAND

Collection, disposal or treatment of controlled waste

[^{F1}45AZE] Sections 45 to 45AZD: guidance

- (1) The Secretary of State may issue guidance about the duties imposed by sections 45 to 45AZD.
- (2) The guidance may in particular deal with—
 - (a) the circumstances in which it may not be technically or economically practicable to collect recyclable household waste or recyclable relevant waste in recyclable waste streams separately, or in which separate collection may not have significant environmental benefit;
 - (b) the frequency with which household waste other than recyclable household waste which is food waste should be collected;
 - (c) the kinds of waste which are relevant waste for the purposes of section 45AZB;
 - (d) assessments under section 45AZD.
- (3) The guidance may make different provision in relation to sections 45A, 45AZA and 45AZB.
- (4) Before issuing guidance under this section the Secretary of State must consult—
 - (a) the Environment Agency,
 - (b) English waste collection authorities,
 - (c) English waste disposal authorities, and
 - (d) anyone else the Secretary of State considers appropriate.
- (5) The requirement in subsection (4) may be met by consultation carried out before this section comes into force.

Changes to legislation: Environmental Protection Act 1990, Section 45AZE is up to date with all changes known to be in force on or before 15 July 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](#)

- (6) A waste collection authority, and any party to arrangements to which section [45AZA](#) or [45AZB](#) applies, must have regard to the guidance
- (7) The Secretary of State must lay before Parliament, and publish, the guidance.]

Textual Amendments

- F1** Ss. 45A-45AZG substituted for s. 45A (17.5.2024) by [Environment Act 2021 \(c. 30\)](#), [ss. 57\(4\)](#), [147\(3\)](#) (with s. 144); [S.I. 2024/639](#), [reg. 2\(a\)](#) (with [regs. 5, 6, 7, Sch.](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 33ZB(10A) inserted by [2021 c. 30 s. 69\(3\)\(b\)](#)
- s. 34ZB(8A) inserted by [2021 c. 30 s. 69\(5\)\(b\)](#)
- s. 106A inserted by [2023 c. 6 s. 41\(2\)](#)
- s. 161(2AA)(2AB) inserted by [2016 anaw 3 s. 69\(4\)](#)