

*Status: Point in time view as at 19/11/1998.*

*Changes to legislation: Environment Act 1995, Cross Heading: Modification of transfer schemes is up to date with all changes known to be in force on or before 27 June 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 2

#### TRANSFERS OF PROPERTY ETC: SUPPLEMENTAL PROVISIONS

#### PART II

##### TRANSFER SCHEMES

###### *Modification of transfer schemes*

- 7 (1) If at any time after a transfer scheme has come into force the Secretary of State considers it appropriate to do so, he may by order provide that the scheme shall for all purposes be deemed to have come into force with such modifications as may be specified in the order.
- (2) An order under sub-paragraph (1) above—
- (a) may make, with effect from the coming into force of the transfer scheme in question, such provision as could have been made by the scheme; and
  - (b) in connection with giving effect to that provision from that time, may contain such supplemental, consequential or transitional provision as the Secretary of State considers appropriate.
- (3) The Secretary of State shall not make an order under sub-paragraph (1) above except after consultation with—
- (a) the relevant new Agency; and
  - (b) if the transfer scheme in question is—
    - (i) a scheme under section 3 of this Act which transferred property, rights or liabilities of a waste regulation authority, or
    - (ii) a scheme under section 22 of this Act which transferred property, rights or liabilities of a local authority,the body which was the transferor in the case of that scheme.
- (4) The power to make an order under sub-paragraph (1) above shall be exercisable by statutory instrument; and a statutory instrument containing any such order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### **Commencement Information**

- II** Sch. 2 wholly in force at 12.10.1995; Sch. 2 not in force at Royal Assent see s. 125(3); Sch. 2 in force for specified purposes at 28.7.1995 by S.I. 1995/1983, art. 2; Sch. 2 in force for further specified purposes at 12.10.1995 by S.I. 1995/2649, art. 2(c)

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