

SCHEDULES

SCHEDULE 5

WASTE REDUCTION SCHEMES

PART 2

CONSEQUENTIAL AMENDMENTS

- 3 (1) Section 46 of the Environmental Protection Act 1990 (c. 43) (receptacles for household waste) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) Where—
- (a) subsection (1) applies to a waste collection authority, and
- (b) a waste reduction scheme under Schedule 2AA to this Act is in operation in the authority’s area,
- the authority may require the occupier to place the waste for collection in receptacles identified by such means as may be specified.
- (1B) A requirement under subsection (1A)—
- (a) must be imposed by notice served on the occupier;
- (b) may be imposed instead of, or in addition to, any requirement imposed on the occupier under subsection (1).”.
- (3) In subsection (6) (penalties for failure to comply with requirements under subsection (1) etc) after “subsection (1),” insert “(1A),”.
- (4) In subsection (10) (interpretation), in the definition of “specified”, after “subsection (1)” insert “or (1A)”.
- 4 (1) Section 161 of that Act (regulations, orders and directions) is amended as follows.
- (2) After subsection (2) (negative resolution procedure: regulations) insert—
- “(2ZA) Subsection (2) does not apply to a statutory instrument containing regulations under paragraph 11 of Schedule 2AA to this Act to which paragraph 16(5) of that Schedule applies.”
- (3) In subsection (4) (instruments not subject to negative resolution procedure), after paragraph (a) insert—
- “(aa) which contains—
- (i) an order under paragraph 2(3), 6(2) or 15(2) of Schedule 2AA to this Act, or
- (ii) an order under paragraph 5(1) of that Schedule to which paragraph 16(3) of that Schedule applies, or”.