

*Status: Point in time view as at 01/07/2012.*

*Changes to legislation: Protection of Freedoms Act 2012, Part 1 is up to date with all changes known to be in force on or before 24 August 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 **U.K.**

#### REPEALS ETC. OF POWERS OF ENTRY

#### PART 1 **U.K.**

##### WATER AND ENVIRONMENT

##### *Public Health (Control of Disease) Act 1984*

- 1 (1) Omit section 50 of the Public Health (Control of Disease) Act 1984 (power in relation to England and Wales to enter and inspect canal boats).
- (2) This paragraph extends to England and Wales only.

##### *Merchant Shipping Act 1995*

- 2 (1) Omit section 258(4) of the Merchant Shipping Act 1995 (power of surveyor of ships etc. to enter premises to determine whether provisions or water intended for UK ships, including government ships, would be in accordance with safety regulations).
- (2) Sub-paragraph (1) does not apply to section 258(4) of the Act of 1995 so far as it applies for the purposes of section 256A of that Act (extension of power of entry to any member of the staff of the Scottish Administration authorised by the Scottish Ministers).
- (3) This paragraph extends to England and Wales, Scotland and Northern Ireland.

##### *Environment Act 1995*

- 3 (1) Section 108(15) of the Environment Act 1995 (powers of entry etc. of persons authorised by enforcing authorities: interpretation) is amended as follows.
- (2) After the definition of “authorised person” insert—

““domestic property” has the meaning given by section 75(5)(a) of the Environmental Protection Act 1990;”.
- (3) After the definition of “enforcing authority” insert—

““English waste collection authority” has the same meaning as in section 45A of the Environmental Protection Act 1990;”.
- (4) In the definition of “pollution control functions” in relation to a waste collection authority after “means” insert “—
  - (a) in relation to an English waste collection authority, the functions conferred or imposed on it by or under Part 2 of the Environmental Protection Act

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1990 (other than sections 45, 45A and 46 of that Act so far as relating to the collection of household waste from domestic property); and

(b) in relation to any other waste collection authority,”.

(5) This paragraph extends to England and Wales only.

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