

SCHEDULE 5

Modifications

PART 1

Modifications to primary legislation

3. In the Mines and Quarries (Tips) Act 1969—
 - (a) in section 11, for subsection (2) substitute—

“(2) For the purposes of this Part of this Act a disused tip is a tip other than one to which the Quarries Regulations 1999 or the Mines Regulations 2014 apply.”;
 - (b) in section 11, after subsection (3) insert—

“(3A) In this Part of this Act, “tip” means an accumulation or deposit of refuse from a mine or quarry (whether in a solid state or in solution or suspension) other than an accumulation or deposit situated underground, and where any wall or other structure retains or confines a tip then, whether or not that wall or structure is itself composed of refuse, it is deemed to form part of the tip for the purposes of this Part.”