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Amend Part II of the Environmental Protection Act 1990 in relation to the duties, powers and functions of waste regulation authorities concerning the unauthorised deposit of controlled waste on land; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Amendment of the Environmental Protection Act 1990

- (1) The Environmental Protection Act 1990 (c. 43) is amended as follows.
- (2) In section 33 (prohibition on unauthorised or harmful deposit, treatment or disposal etc. of waste)—
- (a) after subsection (1B) insert— 5
- “(1C) Sub-paragraph (b)(i) of subsection (1) shall not apply to controlled waste that the person did not knowingly cause or knowingly permit to be deposited.”, and
- (b) after subsection (13) insert—
- “(14) It shall be the duty of every waste regulation authority or waste collection authority, where a complaint of a contravention of subsection (1)(a) is made to it, to take such steps as are reasonably practicable to investigate the complaint.” 10
- (3) In section 59 (powers to require removal of waste unlawfully deposited)—
- (a) omit subsection (7)(c) and the word “or” immediately preceding it, and 15
- (b) after subsection (7) insert—
- “(7A) The waste regulation authority or the waste collection authority shall remove the waste from the land if either—
- (a) the requirement in a notice served under subsection (1) has been quashed under subsection (3)(a), or 20

- (b) it appears to a waste regulation authority or waste collection authority that waste has been deposited in or on any land in contravention of section 33(1) above.”

2 Short title and extent

- (1) This Act may be cited as the Environmental Protection Act 1990 (Amendment) Act 2008. 5
- (2) This Act does not extend to Northern Ireland.

Environmental Protection Act 1990 (Amendment) Bill

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To amend Part II of the Environmental Protection Act 1990 in relation to the duties, powers and functions of waste regulation authorities concerning the unauthorised deposit of controlled waste on land; and for connected purposes.

*Ordered to be brought in by Mr Bernard Jenkin,
Mr John Gummer, Mr Tim Yeo,
Mr Michael Meacher, Mr Malcolm Moss,
Kate Hoey, Mr Elfyn Llwyd,
Mr David Crausby, Tony Baldry,
Mr Alan Meale, Lembit Öpik
and Mr David Heathcoat-Amory.*

*Ordered, by The House of Commons,
to be Printed, 11th March 2008.*

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