

**Changes to legislation:** Environmental Protection Act 1990, Cross Heading: Applications for exemption from and representations about directions is up to date with all changes known to be in force on or before 23 April 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) View outstanding changes

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 2]

#### WASTE DISPOSAL AUTHORITIES AND COMPANIES

##### Textual Amendments

- F1** Sch. 2 repealed (E.W.) (18.10.2005 for E. and 16.3.2006 for W.) by Clean Neighbourhoods and Environment Act 2005 (c. 16), ss. 47, 107, 108, Sch. 5 Pt. 4; S.I. 2005/2896, art. 3(g)(k) (with art. 6 (as amended by S.I. 2006/1002, art. 2)); S.I. 2006/768, art. 2(a)(d) (with art. 5 (as amended by S.I. 2006/2797, art. 11))

### [<sup>F1</sup>PART I]

#### TRANSITION TO COMPANIES

##### Textual Amendments

- F1** Sch. 2 repealed (E.W.) (18.10.2005 for E. and 16.3.2006 for W.) by Clean Neighbourhoods and Environment Act 2005 (c. 16), ss. 47, 107, 108, Sch. 5 Pt. 4; S.I. 2005/2896, art. 3 (with art. 6 (as amended by S.I. 2006/1002)); S.I. 2006/768, art. 2 (with art. 5 (as amended by S.I. 2006/2797))

### [<sup>F1</sup>Applications for exemption from and representations about directions]

##### Textual Amendments

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- [<sup>F2</sup>(1) An authority which has been given notice under paragraph 2 above of a proposed direction may, within the period specified in the notice, make to the Secretary of State either an application under sub-paragraph (2) below or representations under sub-paragraph (3) below.
- (2) An authority may, under this sub-paragraph, apply to the Secretary of State requesting him not to make a direction in its case on the ground that the authority falls within any of paragraphs (a), (b), (c) or (d) of section 32(3).
- (3) An authority may, under this sub-paragraph, make representations to the Secretary of State requesting him to make, in the direction, other provision than that proposed in the notice.

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- (4) It shall be the duty of the Secretary of State to consider any application duly made under sub-paragraph (2) above and to notify the authority of his decision.
- (5) It shall be the duty of the Secretary of State to consider any representations duly made under sub-paragraph (3) above before he gives a direction.]

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#### **Textual Amendments**

**F2** [Sch. 2](#) repealed (E.W.) (18.10.2005 for E. and 16.3.2006 for W.) by [Clean Neighbourhoods and Environment Act 2005 \(c. 16\)](#), ss. 47, 107, 108, [Sch. 5 Pt. 4](#); S.I. 2005/2896, [art. 3\(g\)\(k\)](#) (with art. 6 (as amended by S.I. 2006/1002)); S.I. 2006/768, [art. 2\(a\)\(d\)](#) (with art. 5 (as amended by S.I. 2006/2797))

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 30(4A) inserted by [2021 c. 30 s. 57\(2\)](#)
- s. 33ZB(10A) inserted by [2021 c. 30 s. 69\(3\)\(b\)](#)
- s. 34ZB(8A) inserted by [2021 c. 30 s. 69\(5\)\(b\)](#)
- s. 45A-45AZG substituted for s. 45A by [2021 c. 30 s. 57\(4\)](#)
- s. 46(2)(a)(b) substituted for words by [2021 c. 30 s. 57\(5\)](#)
- s. 106A inserted by [2023 c. 6 s. 41\(2\)](#)
- s. 161(2AA)(2AB) inserted by [2016 anaw 3 s. 69\(4\)](#)