



# Clean Neighbourhoods and Environment Act 2005

## 2005 CHAPTER 16

### PART 10

#### GENERAL

#### 108 Commencement

- (1) The provisions specified in subsection (2) come into force—
  - (a) in relation to England, in accordance with provision made by order by the Secretary of State; and
  - (b) in relation to Wales, in accordance with provision so made by the National Assembly for Wales.
- (2) The provisions referred to in subsection (1) are—
  - (a) section 2;
  - (b) sections 6 to 13 and 15 to 17 and, in Part 1 of Schedule 5, the repeals to the Refuse Disposal (Amenity) Act 1978 (c. 3) and the Road Traffic Regulation Act 1984 (c. 27);
  - (c) sections 19 to 25, paragraphs 5 to 9 of Schedule 4 and, in Part 2 of Schedule 5, the repeals to the Environmental Protection Act 1990 (c. 43);
  - (d) sections 28 to 31, paragraphs 14 to 19 of Schedule 4 and, in Part 3 of Schedule 5, the repeals to the Anti-Social Behaviour Act 2003 (c. 38);
  - (e) section 34 and, in Part 3 of Schedule 5, the repeal to the Town and Country Planning Act 1990 (c. 8);
  - (f) sections 37 and 38 and, in Part 4 of Schedule 5, the repeal of section 6 of the Control of Pollution (Amendment) Act 1989 (c. 14);
  - (g) sections 45 and 46;
  - (h) section 47, paragraph 4 of Schedule 4 and, in Part 4 of Schedule 5, the repeals to the Environmental Protection Act 1990, other than the repeal to section 33 of that Act;

**Changes to legislation:** *Clean Neighbourhoods and Environment Act 2005, Section 108 is up to date with all changes known to be in force on or before 04 May 2023. 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*

- (i) section 48;
  - (j) section 50;
  - (k) section 52;
  - (l) section 53;
  - (m) Chapter 1 of Part 6 above and Part 5 of Schedule 5;
  - (n) Part 7 above except sections 83(2) and 85, and in Part 7 of Schedule 5, the repeals to the Noise and Statutory Nuisance Act 1993 (c. 40) and the Noise Act 1996 (c. 37);
  - (o) sections 96 to 98 and Part 9 of Schedule 5;
  - (p) sections 99 and 100;
  - (q) sections 101 to 103;
  - (r) section 104 and Part 10 of Schedule 5.
- (3) These provisions come into force in accordance with provision made by order by the Secretary of State—
- (a) section 1;
  - (b) section 32;
  - (c) sections 42 to 44;
  - (d) section 49 and paragraph 3 of Schedule 4;
  - (e) section 68 and Part 6 of Schedule 5;
  - (f) Part 8 above and Part 8 of Schedule 5;
  - (g) in Part 1 of Schedule 5, the repeal to section 3 of the London Local Authorities Act 2004 (c. i).
  - (h) in Part 2 of Schedule 5, the repeals to the London Local Authorities Act 1994 (c. xii) and the City of Newcastle upon Tyne Act 2000 (c. viii);
  - (i) in Part 3 of Schedule 5, the repeal to the London Local Authorities Act 1995 (c. x);
  - (j) in Part 7 of Schedule 5, the repeal to the London Local Authorities Act 1991 (c. xiii).
- (4) These provisions come into force at the end of the period of two months beginning with the day on which this Act is passed—
- (a) sections 3 to 5 and, in Part 1 of Schedule 5, the repeals to the Greater London Council (General Powers) Act 1982 (c. i) and section 11 of the London Local Authorities Act 2004 (c. i);
  - (b) section 18;
  - (c) section 27;
  - (d) section 33 and, in Part 3 of Schedule 5, the repeal to the London Local Authorities Act 2004 (c. i);
  - (e) sections 35 and 36, and in Part 4 of Schedule 5, the repeals to sections 1 and 2 of the Control of Pollution (Amendment) Act 1989 (c. 14);
  - (f) section 40 and, in Part 4 of Schedule 5, the repeal to section 33 of the Environmental Protection Act 1990 (c. 43);
  - (g) section 41;
  - (h) section 54;
  - (i) section 83(2);
  - (j) section 105.
- (5) An order under subsection (1) or (3) may make—

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- (a) transitional, consequential, incidental and supplemental provision, or savings;
  - (b) different provision for different purposes.
- (6) Where a provision of this Act comes into force otherwise than under subsection (1) or (3), the Secretary of State may by order make any transitional, consequential, incidental or supplemental provision, or savings, that he considers necessary or expedient in relation to the coming into force of that provision.
- (7) An order under subsection (6) may make different provision for different purposes.
- (8) An order under this section is to be made by statutory instrument.

**Changes to legislation:**

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**Commencement Orders yet to be applied to the Clean Neighbourhoods and Environment Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2007/120 art. 3](#) Amendment to earlier commencing S.I. 2006/2797