



# Clean Neighbourhoods and Environment Act 2005

## 2005 CHAPTER 16

### PART 5

#### WASTE

### CHAPTER 2

#### DEPOSIT AND DISPOSAL OF WASTE

#### *Offence of unlawful deposit of waste etc*

#### **40 Defence of acting under employer's instructions**

- (1) In section 33 of the Environmental Protection Act 1990 (c. 43) (offence of unauthorised or harmful deposit etc of controlled waste), omit subsection (7)(b) (defence of acting on employer's instructions).
- (2) This section does not have effect in relation to an offence committed, or alleged to have been committed, before the commencement of this section.

**Changes to legislation:**

Clean Neighbourhoods and Environment Act 2005, Section 40 is up to date with all changes known to be in force on or before 10 August 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.

[View outstanding changes](#)

**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](#)