



Clean Neighbourhoods and Environment Act 2005

2005 CHAPTER 16

PART 7

NOISE

CHAPTER 2

GENERAL

Noise from premises

83 Noise offences: use of fixed penalty receipts

- (1) Section 9 of the Noise Act 1996 (c. 37) (fixed penalty notices: supplementary) is amended as follows.
- (2) In subsection (4A) (qualifying functions for the use of penalty receipts), omit “and” at the end of paragraph (a) and after that paragraph insert—
 - “(aa) functions under Chapter 1 of Part 7 of the Clean Neighbourhoods and Environment Act 2005;
 - (ab) functions under sections 79 to 82 of the Environmental Protection Act 1990 (statutory nuisances) in connection with statutory nuisances falling with section 79(1)(g) or (ga) (noise) of that Act;”.
- (3) After subsection (4F) insert—
 - “(4G) The powers to make regulations conferred by this section are, for the purposes of subsection (1) of section 100 of the Local Government Act 2003, to be regarded as included among the powers mentioned in subsection (2) of that section.

Changes to legislation: Clean Neighbourhoods and Environment Act 2005, Section 83 is up to date with all changes known to be in force on or before 18 September 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](#)

- (4H) Regulations under this section relating to local authorities in England may—
- (a) make provision in relation to—
 - (i) all local authorities,
 - (ii) particular local authorities, or
 - (iii) particular descriptions of local authority;
 - (b) make different provision in relation to different local authorities or descriptions of local authority.”

Commencement Information

I1 S. 83(2) in force at 7.6.2005, see s. 108(4)

I2 S. 83(1)(3) in force at 14.3.2006 for E. by [S.I. 2006/795](#), art. 2(1), [Sch. 1](#)

I3 [S. 83\(1\)\(3\)](#) in force at 27.10.2006 for W. by [S.I. 2006/2797](#), [art. 2\(o\)](#)

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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](#)