
Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, Paragraph 3. (See end of Document for details)

SCHEDULES

SCHEDULE 10

ENFORCEMENT POWERS

Powers of direction in relation to waste

- 3 (1) Section 57 of the Environmental Protection Act 1990 (power to give directions) is amended as follows.
- (2) In subsection (2) omit the words from “with a view” to the end.
- (3) After subsection (2) insert—
- “(2A) The appropriate Minister may, by notice in writing—
- (a) direct a registered waste carrier to collect waste which is being kept on specified land and deliver it to a specified person on specified terms;
- (b) direct any person who—
- (i) is keeping waste on any land, or
- (ii) owns or occupies land on which waste is being kept, to facilitate collection of the waste by a specified registered waste carrier to whom a direction in respect of the waste is given under paragraph (a).”
- (4) In subsection (4), for “of treating or disposing of” substitute “in relation to”.
- (5) After subsection (4) insert—
- “(4A) A direction under subsection (2A)(b) may require the person to whom it is given—
- (a) to pay to the specified registered waste carrier the reasonable costs of collecting and delivering the waste;
- (b) to pay to the specified person to whom the waste is delivered (“P”) the reasonable costs incurred by P in relation to the waste (including any costs P is required by a direction under this section to pay to another person).”
- (6) In subsection (7) for the words from “, where” to the end substitute “pay any costs mentioned in subsection (4).”
- (7) After subsection (7) insert—
- “(7A) The appropriate Minister may pay any costs mentioned in subsection (4A).”
- (8) In subsection (8), before the definition of “specified” insert—
- ““appropriate Minister” means—
- (a) the Secretary of State, in relation to waste being kept on land in England, and

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(b) the Welsh Ministers, in relation to waste being kept on land in Wales; “registered waste carrier” means a person registered under the Control of Pollution (Amendment) Act 1989 as a carrier of controlled waste;”.

Commencement Information

II Sch. 10 para. 3 in force at 9.1.2022, see **s. 147(2)(h)**

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