

2004 No. 1163 (C.49)

ENVIRONMENTAL PROTECTION

**The Waste and Emissions Trading Act 2003 (Commencement
No.1) Order 2004**

Made - - - -

19th April 2004

The Secretary of State, in exercise of the powers conferred upon her by section 40(1) of the Waste and Emissions Trading Act (a), hereby makes the following Order:

Citation

1. This Order may be cited as the Waste and Emissions Trading Act 2003 (Commencement No.1) Order 2004.

Commencement

2. Sections 2 and 39(b) of the Waste and Emissions Trading Act 2003 shall come into force on the day after the day on which this Order is made.

19th April 2004

Elliot Morley
Minister of State
Department for Environment Food and Rural Affairs

(a) 2003 c.33.

(b) Sections 2 and 39 extend to the whole of the United Kingdom.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 20th April 2004 (“the commencement date”) all the provisions of sections 2 and 39 of the Waste and Emissions Trading Act 2003.

Section 2 of the Act enables the Secretary of State to make regulations specifying the amount by weight of biodegradable municipal waste allowed, in a scheme year that is not a target year, to be sent to landfills from England, Scotland, Wales and Northern Ireland.

Section 39 of the Act provides that, if incorporated in a participation agreement, the penalty provisions of the UK Greenhouse Gas Emissions Trading Scheme 2002 (as amended from time to time whether before or after the commencement date) shall have statutory effect between the parties to the agreement. This applies in relation to agreements entered into before, as well as those agreement entered into after, the commencement date.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

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