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STATUTORY INSTRUMENTS

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**2007 No. 3538**

**The Environmental Permitting  
(England and Wales) Regulations 2007**

**PART 7**

Miscellaneous and transitional provision, savings,  
consequential amendments, revocations and repeals

**Savings**

72.—<sup>F1</sup>(1) .....

<sup>F1</sup>(2) .....

(3) Notwithstanding their repeal by these Regulations, the provisions of the 1990 Act continue to have effect for the purposes of paragraph 20 of Schedule 1 to the Pollution Prevention and Control Act 1999.

(4) Notwithstanding its revocation by these Regulations, paragraph 7 of Schedule 4 to the 1994 Regulations continues to have effect in relation to sections 12(3A), 31(3) and 36(3) of the Town and Country Planning Act 1990 <sup>M1</sup> to the extent that those provisions are saved by—

- (a) in England, article 4 of, and Schedule 2 to, the Planning and Compulsory Purchase Act 2004 (Commencement No. 2, Transitional Provisions and Savings) Order 2004 <sup>M2</sup>;
- (b) in Wales, article 3 of, and Schedule 2 to, the Planning and Compulsory Purchase Act 2004 (Commencement No. 6, Transitional Provisions and Savings) Order 2005 <sup>M3</sup>.

(5) Notwithstanding its revocation by these Regulations, regulation 3 of the 1994 Regulations continues to have effect for the purposes of Schedule 5 to those Regulations.

<sup>F1</sup>(6) .....

<sup>F1</sup>(7) .....

(8) Notwithstanding the revocation of regulation 5(1) of the Pet Cemeteries (England and Wales) Regulations 2007 by these Regulations, that regulation continues to have effect when a waste management licence to which it applies becomes an environmental permit.

(9) Notwithstanding their revocation by these Regulations, the amendments to enactments and other instruments made by the 1994 Regulations and the 2000 Regulations continue to have effect.

<sup>F1</sup>(10) .....

[<sup>F2</sup>(11) In the application of any provision by virtue of this regulation—

- (a) any reference to the Lands Tribunal must be read as a reference to the Upper Tribunal;
- (b) any reference to section 2 of the Land Compensation Act 1961 must be omitted; and

- (c) for the purposes of [<sup>F3</sup>Tribunal Procedure Rules], any proceedings to which section 2 of the Land Compensation Act 1961 would have applied but for sub-paragraph (b) shall be proceedings on a compulsory purchase compensation reference.]

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**Textual Amendments**

- F1** Regulations (except regs. 1, 67, 72(3)(4)(8)(9)(11), 73, Sch. 21, and for the purpose of any of those provisions, any definition in Pt. 1) revoked (1.1.2017) by [The Environmental Permitting \(England and Wales\) Regulations 2016 \(S.I. 2016/1154\)](#), reg. 1(1), **Sch. 28** (with regs. 1(3), 77-79, Sch. 4) Regulations previously revoked in part (6.4.2010 immediately after S.I. 2009/3381 came into force) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), **Sch. 27** (with regs. 1(2), 108(2)-(4))  
See also [The Environmental Permitting \(England and Wales\) \(Amendment\) \(No. 2\) Regulations 2009 \(S.I. 2009/3381\)](#), regs. 1(1)(b), 2-12, Schs 1, 2
- F2** Reg. 72(11) added (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 2 para. 123** (with Sch. 5)
- F3** Words in reg. 72(11)(c) substituted (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), art. 1(1), **Sch. 3 para. 147**
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**Marginal Citations**

- M1** 1990, c. 8. Section 12(3A) was inserted by the [Planning and Compensation Act 1991 \(c. 34\)](#), **section 27** and Schedule 4.
- M2** [S.I. 2004/2202](#). Article 4 was amended by [S.I. 2005/2085](#).
- M3** [S.I. 2005/2847 \(W. 118\)](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Environmental Permitting (England and Wales) Regulations 2007, Section 72.