

*These notes relate to the Antisocial Behaviour etc. (Scotland)  
Act 2004 (asp 8) which received Royal Assent on 26 July 2004*

# **ANTISOCIAL BEHAVIOUR ETC. (SCOTLAND) ACT 2004**

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## **EXPLANATORY NOTES**

### **THE ACT**

#### **Part 6 –The environment**

Part 6 makes provision on a range of antisocial environmental offences. It introduces fixed penalty notices for fly-tipping; gives the police powers to issue fixed penalty notices for littering; introduces new powers for the Scottish Ministers to issue directions in relation to clearance of litter; and increases penalties for a range of antisocial environmental offences. In addition, Part 6 gives local authorities a power to serve graffiti removal notices on those responsible for street furniture such as bus shelters, telephone kiosks and utility boxes as well as for property owned or managed by educational institutions and certain statutory transport undertakers, requiring them to remove graffiti from their property. Local authorities will be empowered to remove the graffiti themselves and charge the owner of the property for doing so, if the owner does not comply with the notice within 28 days