



Public Health etc. (Scotland) Act 2008

2008 asp 5

PART 9

STATUTORY NUISANCES

112 Power to make further provision regarding statutory nuisances

(1) The 1990 Act is further amended as follows.

(2) In section 79—

- (a) in subsection (1), for “(1A)” substitute “(1ZA)”; and
- (b) after subsection (1), insert—

“(1ZA) The Scottish Ministers may by regulations—

- (a) amend this section so as to—
 - (i) prescribe additional matters which constitute statutory nuisances for the purposes of this Part;
 - (ii) vary the description of any matter which constitutes a statutory nuisance;
- (b) in relation to an amendment under paragraph (a), amend this Act and any other enactment to make such incidental, supplementary, consequential, transitory, transitional or saving provision as the Scottish Ministers consider appropriate.

(1ZB) Before making regulations under subsection (1ZA) above, the Scottish Ministers must consult, in so far as it is reasonably practicable to do so, the persons mentioned in subsection (1ZC) below.

(1ZC) Those persons are—

- (a) such associations of local authorities; and
- (b) such other persons,

as the Scottish Ministers consider appropriate.”.