



# Public Health (Scotland) Act 1897

1897 CHAPTER 38 60 and 61 Vict

## PART II

### SANITARY PROVISIONS

#### Modifications etc. (not altering text)

- C1 Part II amended by Mines and Quarries Act 1954 (c. 70), s. 151(2)(3)(5), and Clean Air Act 1956 (c. 52), s. 16

#### *General Nuisances*

<sup>F1</sup>16 .....

#### Textual Amendments

- F1 S. 16 repealed (1.4.1996) by 1995 c. 25, s. 120(3), Sch. 24 (with ss. 7(6), 115, 117); S.I. 1996/186, art. 3

<sup>F2</sup>17 .....

#### Textual Amendments

- F2 S. 17 repealed (1.4.1996) by 1995 c. 25, s. 120(3), Sch. 24 (with ss. 7(6), 115, 117); S.I. 1996/186, art. 3

<sup>F3</sup>18 .....

*Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part II. (See end of Document for details)*

**Textual Amendments**

**F3** S. 18 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

**F4**<sup>19</sup> .....

**Textual Amendments**

**F4** S. 19 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

**F5**<sup>20</sup> .....

**Textual Amendments**

**F5** S. 20 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

**F6**<sup>21</sup> .....

**Textual Amendments**

**F6** S. 21 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

**F7**<sup>22</sup> .....

**Textual Amendments**

**F7** S. 22 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

**F8**<sup>23</sup> .....

**Textual Amendments**

**F8** S. 23 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

*Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part II. (See end of Document for details)*

<sup>F9</sup>**24** .....

**Textual Amendments**

**F9** S. 24 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

<sup>F10</sup>**25** .....

**Textual Amendments**

**F10** S. 25 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

<sup>F11</sup>**26** .....

**Textual Amendments**

**F11** S. 26 repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

<sup>F12</sup>**27** **Articles removed to be sold.**  
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**Textual Amendments**

**F12** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

**28** ..... <sup>F13</sup>

**Textual Amendments**

**F13** S. 28 repealed by Local Government (Scotland) Act 1973 (c. 65), **Sch. 29**

**29** ..... <sup>F14</sup>

*Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part II. (See end of Document for details)*

**Textual Amendments**

**F14** S. 29 repealed by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43, SIF 81:2\)](#), s. 66(2), [Sch. 4 Pt. 1](#)

**F1230 Penalty for injuring closet, &c. so as to cause nuisance.**

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**Textual Amendments**

**F12** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

**F1231 Waterclosets, &c. used in common.**

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**Textual Amendments**

**F12** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

*Offensive Trades*

**F1232 Prohibition or regulation of certain offensive businesses, and bylaws as to offensive businesses.**

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**Textual Amendments**

**F12** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), [sch. 3 Pt. 1](#) (with s. 127); S.S.I. 2009/9, art. 2(b), [sch. 2](#), S.S.I. 2009/319, art. 2(a), [sch. 1](#) (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), [sch. 3](#)

*Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part II. (See end of Document for details)*

**Textual Amendments**

**F15** S. 33 repealed by [Slaughter of Animals \(Scotland\) Act 1980 \(c. 13, SIF 112\)](#), s. 24(2), **Sch. 3**

**34** ..... **F16**

**Textual Amendments**

**F16** S. 34 repealed by [Slaughterhouses Act 1954 \(c. 42\)](#), **Sch. 2**

**F12****35** **Local authorities may make byelaws as to pigstyes.**

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**Textual Amendments**

**F12** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

**F17****36** .....

**Textual Amendments**

**F17** S. 36 repealed (1.4.1996) by [1995 c. 25](#), s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

**F18****37** .....

**Textual Amendments**

**F18** S. 37 repealed (1.4.1996) by [1995 c. 25](#), s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I 1996/186, art. 3

*Scavenging and Cleansing*

**38** ..... **F19**

*Changes to legislation: There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part II. (See end of Document for details)*

**Textual Amendments**

**F19** S. 38 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, **Sch. 14**

**39** ..... **F20**

**Textual Amendments**

**F20** S. 39 repealed by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(3), **Sch. 11**

**F12 40** **Houses in filthy state to be purified.**

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**Textual Amendments**

**F12** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

**F12 41** **Provision for obtaining order for cleansing offensive ditches lying near to or forming boundaries of districts.**

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**Textual Amendments**

**F12** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

**F12 42** **Periodical removal of manure from mews and other premises.**

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**Textual Amendments**

**F12** Act repealed (1.4.2009 for the purpose of the repeals of ss. 68, 70, 71, 1.10.2009 except in so far as it relates to the repeals of ss. 32, 73(1), 161 and 164, 1.1.2010 for the purpose of the repeal of s. 32) by [Public Health etc. \(Scotland\) Act 2008 \(asp 5\)](#), s. 128(2), **sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/9, art. 2(b), **sch. 2**, S.S.I. 2009/319, art. 2(a), **sch. 1** (with art. 3, sch. 2 para. 2), S.S.I. 2009/404, art. 2(3), **sch. 3**

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**Changes to legislation:** There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part II. (See end of Document for details)

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**43** ..... **F21**

**Textual Amendments**

**F21** S. 43 repealed by Food and Drugs (Scotland) Act 1956 (c. 30), **Sch. 3**

**Changes to legislation:**

There are currently no known outstanding effects for the Public Health (Scotland) Act 1897, Part II.