

SCHEDULES

SCHEDULE 27

ADAPTATION AND AMENDMENT OF ENACTMENTS

PART II

MINOR AND CONSEQUENTIAL AMENDMENTS

The Public Health (Scotland) Act 1897

- 26 In section 3 (definitions),—
- (a) the definitions of " sanitary inspector ", " clerk ", " parish ", " burgh ", " county ", and " district committee " shall cease to have effect,
 - (b) for the definition of " district " there shall be substituted the following definition—

“Except in section 12 and, where it second occurs in section 36(4) of this Act, the word ' district ' means the area of the local authority for the purposes of this Act.”
- 27 In section 6, for the words " parish council " there shall be substituted the words " local authority ".
- 28 For section 12 there shall be substituted the following section—
- “12 Local authorities for the purposes of the Act.**
- The islands or district council shall be the local authority for the purposes of this Act.”
- 29 Section 15 (reports and returns), shall cease to have effect.
- 30 In section 18 (power of entry), the words " magistrate or " and the word " magistrate ", in each place where it occurs thereafter, shall cease to have effect.
- 31 In section 19 (information of nuisances), the words " of the county or burgh " shall cease to have effect.
- 32 In section 22 (proceedings in respect of nuisance),—
- (a) the words " magistrate or ", in each place where they occur,
 - (b) the words " or on a representation by a parish council ",
 - (c) the words " to the collector of the churchyard or other dues, or " and
 - (d) the word " other ", where it second occurs,
- shall cease to have effect.

Status: This is the original version (as it was originally enacted).

- 33 In sections 23, 25 to 27, 47, 52, 54, 55, 69, 154, 155, and 177, the word "magistrate" or "magistrates", in each place where either of them occurs, shall cease to have effect.
- 34 Section 28 shall cease to have effect.
- 35 In section 31 (waterclosets etc. used in common) the words " or of their sanitary inspector " shall cease to have effect.
- 36 In section 32 (offensive businesses) in subsection (2), the words from " but, in the case " onwards shall cease to have effect.
- 37 In section 36 (complaint of nuisance from offensive trade), in subsection (1), the words " or from a representation by a parish council" shall cease to have effect.
- 38 In section 37 (nuisance by local authority in dealing with refuse),—
- (a) in subsection (1),—
 - (i) the words from " by the county " to " any district " shall cease to have effect,
 - (ii) the words " such county council or " shall cease to have effect,
 - (b) in subsection (2), the words from " and for the purpose " onwards shall cease to have effect.
- 39 In section 39 (scavenging of highways)—
- (a) in the first paragraph for the words from the beginning to " situated " there shall be substituted the words " A local authority " and the words " within such special scavenging district " shall cease to have effect;
 - (b) in the second paragraph for the words " within such special district" and for the words from " district committee " to " council) " there shall be substituted respectively the words " in any area to which the Burgh Police (Scotland) Acts 1892 and 1903 do not applyand " local highway authority within the meaning of the Local Government (Scotland) Act 1973 ". "
- 40 In section 42 (removal of manure), the words " in any special scavenging district", in both places where they occur, shall cease to have effect.
- 41 In section 94 (power to require additional supply of water), the words from " but in the case " onwards shall cease to have effect.
- 42 Section 118 shall cease to have effect.
- 43 Section 121 (combination of local authorities as to sewerage) shall cease to have effect.
- 44 In section 146 (procedure on neglect of duty),—
- (a) in subsection (1), the words " or for a parish council" and " of the county " shall cease to have effect, and
 - (b) in subsection (2) the words "or for any parish council" shall cease to have effect.
- 45 In section 157, the words " magistrate or " shall cease to have effect.
- 46 In section 158, the words "or magistrates" shall cease to have effect.
- 47 In section 162, the words " magistrate or", where they first occur, and the word " magistrate", where it second occurs, shall cease to have effect.
- 48 Sections 191 (saving for county councils and standing joint committees) and 192 (saving of local Acts) shall cease to have effect.