



Alkali, &c. Works Regulation Act 1906

1906 CHAPTER 14

PART III

(v) Miscellaneous

28 Application to Scotland

In the application of this Act to Scotland—

- (a) references to the Secretary for Scotland shall be substituted for references to the Local Government Board, and references to the Edinburgh Gazette shall be substituted for references to the London Gazette ;
- (b) All offences under this Act shall be prosecuted and all fines under this Act shall be recovered under the provisions of the Summary Jurisdiction (Scotland) Acts: Provided that the following regulations shall have effect with respect to the prosecution of, and the recovery of fines for, offences under this Act, other than offences against special rules and offences under subsection four of section twelve of this Act:—
 - (i) All prosecutions shall be brought before the sheriff, who may award expenses to either party, and, in default of immediate payment of the fine and expenses, may sentence the respondent to imprisonment for any period not exceeding six months;
 - (ii) A prosecution shall not be instituted without the consent of the Secretary for Scotland, nor by any person other than the chief inspector or such other inspector as the Secretary for Scotland may in any particular case direct, nor, except as respects a fine for the contravention of the provisions of this Act as to the registration of works, after the expiration of three months from the commission of the offence;
 - (iii) The person taking proceedings shall be presumed to be an inspector authorised under this Act to institute the prosecution until the contrary is proved by the respondent;
 - (iv) The sheriff may, on the application of either party, appoint a person to take down in writing the evidence of the witnesses, and may award

Status: This is the original version (as it was originally enacted).

- to that person such remuneration as he thinks just, and the amount so awarded shall be deemed to be expenses in the proceeding ;
- (v) All jurisdictions, powers, and authorities necessary for the purposes of this section are conferred on the sheriff;
- (c) all fines imposed and recovered under this Act shall be paid to the clerk of the court, and by him accounted for and paid to the King's and Lord Treasurer's Remembrancer on behalf of His Majesty's Exchequer, and shall be carried to the Consolidated Fund.