



# Public Health etc. (Scotland) Act 2008

## 2008 asp 5

### PART 9

#### STATUTORY NUISANCES

#### 110 Artificial light nuisance

- (1) Section 79 of the 1990 Act is further amended as follows.
- (2) In subsection (1), after paragraph (fb), insert—
  - “(fba) artificial light emitted from—
    - (i) premises;
    - (ii) any stationary object,so as to be prejudicial to health or a nuisance;”.
- (3) In subsection (2)—
  - (a) after “(1)(b)” insert “, (fba) ”;
  - (b) after “premises” insert “ (or, in respect of paragraph (fba)(ii) above, a stationary object located on premises) ”.
- (4) After subsection (5B), insert—

“(5BA) Subsection (1)(fba) above does not apply to artificial light emitted from a lighthouse (within the meaning of Part 8 of the Merchant Shipping Act 1995 (c. 21)).”.

#### Annotations:

#### Commencement Information

**II** [S. 110](#) in force at 26.1.2009 by [S.S.I. 2009/9](#), art. 2(a), [Sch. 1](#)

**Changes to legislation:**

Public Health etc. (Scotland) Act 2008, Section 110 is up to date with all changes known to be in force on or before 31 January 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 92(1)(b)(i)(ii) inserted by [2016 asp 20 Sch. 1 para. 2\(a\)](#)