



Sewerage (Scotland) Act 1968

1968 CHAPTER 47

PART I

GENERAL PROVISIONS AS TO SEWERAGE

Rights and duties of owners and occupiers

14 Direction by local authority as to manner of construction of works.

- (1) Where the owner of any premises proposes to construct a drain ^[F1], sewer or SUD system] in respect of which notice has been given to ^[F2]Scottish Water] by virtue of section 12(3) above ^{F3}... , or sewage treatment works in respect of which notice has been given under subsection (2) below, ^[F4]Scottish Water] may, if ^[F5]it considers] that the proposed drain, sewer ^[F6], SUD system]or works is, or is likely to be, needed to form part of a general sewerage system which ^[F7]it has] provided or propose to provide, within 28 days of the receipt by ^[F8]it] of the notice direct him to construct the drain, sewer ^[F6], SUD system]or works in a manner differing from that in which he proposes to construct the drain, sewer^[F6], SUD system] or works.
- (2) Where the owner of any premises proposes to construct sewage treatment works to serve those premises he shall give notice of his proposals to ^[F9]Scottish Water] .
- (3) If a person to whom a direction has been issued under subsection (1) above is aggrieved by the direction, he may appeal to the Secretary of State, who may disallow the direction or allow it with or without modification.
- (4) A person to whom a direction is issued under this section shall, before commencing any work in pursuance of that direction, give not less than 3 days' notice to ^[F10]Scottish Water] so as to enable ^[F11]it] to supervise the execution of the work and shall afford ^[F11]it] all reasonable facilities for so doing.
- (5) ^[F12]Where Scottish Water has issued a direction under subsection (1) above, it] shall pay to the person constructing the drain, sewer^[F13], SUD system] or sewage treatment works the extra expenses reasonably incurred by him in complying with the direction and, until the drain, sewer^[F13], SUD system] or works become vested in ^[F4]Scottish

Changes to legislation: Sewerage (Scotland) Act 1968, Section 14 is up to date with all changes known to be in force on or before 17 May 2023. 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. (See end of Document for details) View outstanding changes

Water], [^{F14}it] shall also from time to time pay to him so much of any expenses reasonably incurred by him in repairing, operating or maintaining the drain, sewer [^{F13}, SUD system] or works as may be attributable to [^{F15}its] direction having been made and complied with, and, if any question arises as to the amount of any payment to be made to him under this subsection, he may refer it by summary application to the sheriff whose decision on the matter shall be final.

- (6) If any person who under this section has been directed by [^{F2}Scottish Water] to construct a drain, sewer [^{F16}, SUD system] or sewage treatment works in a particular manner constructs them otherwise than in accordance with the terms of the direction, or, if the direction has been modified under subsection (3) above, of the modified direction, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding [^{F17}level 4 on the standard scale].

Textual Amendments

- F1** Words in s. 14(1) substituted (30.11.2007) by [Water Environment and Water Services \(Scotland\) Act 2003 \(asp 3\), s. 38\(1\), Sch. 3 para. 11\(a\)\(i\); S.S.I. 2007/512, art. 2\(c\)](#)
- F2** Words in s. 14(1)(6) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 2 \(with s. 67\); S.S.I. 2002/118, art. 2](#)
- F3** Words in s. 14(1) repealed (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 18\(a\)\(i\) \(with s. 67\); S.S.I. 2002/118, art. 2](#)
- F4** Words in s. 14(1)(5) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 4 \(with s. 67\); S.S.I. 2002/118, art. 2](#)
- F5** Words in s. 14(1) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 18\(a\)\(ii\) \(with s. 67\); S.S.I. 2002/118, art. 2](#)
- F6** Words in s. 14(1) inserted (30.11.2007) by [Water Environment and Water Services \(Scotland\) Act 2003 \(asp 3\), s. 38\(1\), Sch. 3 para. 11\(a\)\(ii\); S.S.I. 2007/512, art. 2\(c\)](#)
- F7** Words in s. 14(1) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 18\(a\)\(iii\) \(with s. 67\); S.S.I. 2002/118, art. 2](#)
- F8** Words in s. 14(1) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, {Sch. 5 para. 18\(a\)\(iv\) \(with s. 67\); S.S.I. 2002/118, art. 2](#)
- F9** Words in s. 14(2) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 18\(b\) \(with s. 67\); S.S.I. 2002/118, art. 2](#)
- F10** Words in s. 14(4) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 18\(c\)\(i\) \(with s. 67\); S.S.I. 2002/118, art. 2](#)
- F11** Words in s. 14(4) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 18\(c\)\(ii\) \(with s. 67\); S.S.I. 2002/118, art. 2](#)
- F12** Words in s. 14(5) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 18\(d\)\(i\) \(with s. 67\); S.S.I. 2002/118, art. 2](#)
- F13** Words in s. 14(5) inserted (30.11.2007) by [Water Environment and Water Services \(Scotland\) Act 2003 \(asp 3\), s. 38\(1\), Sch. 3 para. 11\(b\); S.S.I. 2007/512, art. 2\(c\)](#)
- F14** Words in s. 14(5) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 18\(d\)\(ii\) \(with s. 67\); S.S.I. 2002/118, art. 2](#)
- F15** Words in s. 14(5) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 18\(d\)\(iii\) \(with s. 67\); S.S.I. 2002/118, art. 2](#)
- F16** Words in s. 14(6) inserted (30.11.2007) by [Water Environment and Water Services \(Scotland\) Act 2003 \(asp 3\), s. 38\(1\), Sch. 3 para. 11\(c\); S.S.I. 2007/512, art. 2\(c\)](#)
- F17** Words substituted by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\), ss. 289F, 289G](#)

Changes to legislation:

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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. 3A(3) inserted by [2003 asp 3 s. 30\(1\)](#)
- s. 8(1A) inserted by [2003 asp 3 s. 30\(2\)\(a\)](#)
- s. 12(2A) inserted by [2003 asp 3 s. 30\(3\)](#)
- s. 14A-14C inserted by [2003 asp 3 s. 30\(4\)](#)
- s. 16A(3) inserted by [2003 asp 3 s. 30\(5\)](#)
- s. 29A(3)(b)(c) substituted for s. 29A(3)(b) by [2014 asp 3 sch. 3 para. 1\(2\)\(b\)](#)