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SCHEDULES

SCHEDULE 17

AMENDMENT OF ENACTMENTS RELATING TO WATER

The Water (Scotland) Act 1946

- 3 In section 8(4) (duty of water authority to provide supply for area), for the words after " interests ", there shall be substituted the words " of the area comprising their limits of supply ".
- 4 In section 12 (compensation for damage resulting from exercise of powers)—
- (a) in subsection (1), for the words " local authority " and " the authority " there shall be substituted respectively the words " district council " and " them " ;
 - (b) in subsection (3), the words " against an authority " and " to the authority " shall cease to have effect.
- 5 In section 23 (power of local authority to give guarantee for supply of water), for the words " local authority " and the word " district " there shall be substituted respectively the words " water authority within the meaning of section 148 of the Local Government (Scotland) Act 1973 " and the words " limits of supply ".
- 6 In section 29 (power of local authority to provide public wells, fountains, etc.)—
- (a) in subsection (1), for the words " local authority " there shall be substituted the words " district council " and after the word " region " there shall be inserted the words " or area " ;
 - (b) in subsection (2), for the words " A local authority " there shall be substituted the words " An islands or district council ", after the word " their " there shall be inserted the words " area or " and, in the proviso, for the words " the authority " there shall be substituted the words " the council ".
- 7 In section 30 (power to close or restrict use of water from public wells, etc.), for the words " local authority " there shall be substituted the words " district council ", and after the word " region " there shall be inserted the words " or area ".
- 8 In section 31 (power to close or restrict use of water from polluted source of supply), for any reference to a local authority there shall be substituted a reference to an islands or district council and after the word " their " there shall be inserted the words " area or ".
- 9 In section 54 (provision of supply of water to other houses), for any reference to a local authority there shall be substituted a reference to an islands or district council.
- 10 In section 55 (power of local authority to grant or make charging order for expenses of executing works), for any reference to a local authority there shall be substituted a reference to an islands or district council.
- 11 In section 56 (recovery of expenses from owners), for any reference to a local authority there shall be substituted a reference to an islands or district council.

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- 12 In section 57 (limitation of liability of certain owners), for any reference to a local authority there shall be substituted a reference to an islands or district council.
- 13 In section 58 (agreements as to drainage, etc., of land),—
- (a) in subsection (1), at the beginning there shall be inserted
- “(a) " and for the words " with a local authority " there shall be substituted the words—
- “(b) a water authority or a water development board may enter into agreements with a regional, islands or district council””
- (b) in subsection (3), for the words " local authority" and " that authority " there shall be substituted respectively the words " regional or islands council " and " that council ".
- 14 In section 61 (byelaws for preventing pollution of water), for any reference to the local authority of the district or the local authority of the district or county there shall be substituted a reference to the regional, islands or district council.
- 15 In section 78 (notices, etc., to be in writing), for any reference to a local authority there shall be substituted a reference to a regional, islands or district council.
- 16 In section 84(1) (interpretation), after the definition of " supply pipe " there shall be inserted the following definition—
- ““ water authority ' has the same meaning as in section 148 of the Local Government (Scotland) Act 1973 ;”.
- 17 In Schedule 1 (procedure for making orders and making and confirming byelaws)—
- (a) in paragraph 2(i), for the words " local authority of every district " there shall be substituted the words " water authority, regional council, district council and water development board for every area " and in paragraph 2(ii), at the end there shall be added the words " and in the case of an order under section 21(2), where the river purification authority within whose area the stream affected is situated are not the same authority as the applicants, on that authority ";
- (b) in paragraph 11(i), for the words "local authority of every district" there shall be substituted the words " water authority, regional council, district council and water development board for every area ";
- (c) in paragraph 11(ii), after the word "transferred " there shall be inserted the words " where the river purification authority are not the same authority as the water authority ";
- (d) in paragraph 19, for the words "local authority of any district" there shall be substituted the words " water authority, regional council, district council and water development board for any area " and after the word " acquired " there shall be inserted the words " and where the river purification authority within whose area the stream affected is situated are not the same authority as the water authority, to that authority ".
- 18 In Schedule 4 (provisions to be incorporated in orders relating to water undertakings), in paragraph 5(1) and (2) and paragraph 24(2) for the words "local authority", wherever they occur, there shall be substituted the words " regional, islands or district council "and the word " authority" or " authorities" shall be construed accordingly.