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**Changes to legislation:** Regulatory Reform (Scotland) Act 2014, Cross Heading: Control of Pollution Act 1974 is up to date with all changes known to be in force on or before 24 February 2020. 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

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## SCHEDULE 3 MINOR AND CONSEQUENTIAL MODIFICATIONS

### PART 6

#### MODIFICATIONS OF REFERENCES TO “ENACTMENT” ETC.

##### *Control of Pollution Act 1974*

- 39 (1) The Control of Pollution Act 1974 is amended as follows.
- (2) In section 73 (interpretation and other supplementary provisions), after subsection (3) insert—
- “(3A) In the definition of “statutory undertakers” in subsection (1), “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”.
- (3) In section 85 (appeals to Crown Court or Court of Session against decisions of magistrates' court or sheriff), after subsection (3) add—
- “(4) In subsection (2), “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”.
- (4) In section 105 (interpretation etc. – general), in subsection (2)(b), after “private” add “ or by or under any Act of the Scottish Parliament ”.

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#### **Commencement Information**

**II** Sch. 3 para. 39 in force at 30.6.2014 by S.S.I. 2014/160, art. 2(1)(2), Sch.

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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):

- Sch. 2 para. 3(4) inserted by [S.S.I. 2019/436 reg. 2\(3\)\(a\)\(ii\)](#)
- sch. 2 para. 22(1)(b)(2)-(4) substituted for Sch. 2 para. 22(1)(b)(2) by [S.S.I. 2019/436 reg. 2\(3\)\(b\)](#)