

SCHEDULE 1

MODIFICATIONS OF PUBLIC GENERAL ACTS

The Civic Government (Scotland) Act 1982 (c. 45)

7.—(1) The Civic Government (Scotland) Act 1982 is amended as follows.

(2) In the provisions mentioned in sub-paragraph (3), for “fire authority” (in each place) substitute “appropriate relevant authority”.

(3) The provisions are—

- (a) in section 5 (rights of entry and inspection), subsection (1);
- (b) in section 93 (fire precautions in common stairs etc.), subsections (3), (4) and (7);
- (c) in section 98 (luminous tube signs), subsection (1)(a) to (c);
- (d) in Schedule 1 (licensing – further provisions as to the general system), paragraphs 2(1), 5(5)(d), 7(3)(a), 9(5), 9(7), 10(2)(a), 10(4), 11(7)(d), 12(4), 12(7), 17(4)(c), 17(4)(d);
- (e) in Schedule 2 (control of sex shops), paragraphs 8(1), 10(1)(d), 13(5)(d), 14(5), 14(7), 15(2)(a), 15(5) and 23(4)(b).

(4) In paragraph (a) of subsection (3) of section 5 (rights of entry and inspection), for “a fire authority” substitute “an employee of an appropriate relevant authority”.

(5) In the provisions mentioned in sub-paragraph (6), for “the fire authority” substitute “an employee of the appropriate relevant authority”.

(6) The provisions are—

- (a) in section 5 (rights of entry and inspection), subsection (3)(b) and (c)(1) and subsection (6); and
- (b) in Schedule 2 (control of sex shops), paragraph 20(1), (3) and (5).

(7) In section 8 (interpretation of Parts I and II), after “requires” insert—

“appropriate relevant authority”, in relation to a licensing authority’s area, means the authority discharging in that area the functions of a relevant authority as defined in section 6 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#);

(8) In subsection (4) of section 89 (safety of platforms etc.)—

- (a) for the words from “fire authority” (where they firstly occur) to “1959” substitute “appropriate relevant authority (being the authority discharging in the area of the local authority the functions of a relevant authority as defined in section 6 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#)”); and
- (b) for “fire authority” where it thirdly occurs substitute “appropriate relevant authority”.

(9) In section 93 (fire precautions in common stairs etc.)—

- (a) in subsection (6), for “a fire authority” substitute “an appropriate relevant authority”; and
- (b) in subsection (9) for the words from ““fire authority”” where it firstly occurs to “1959” substitute

““appropriate relevant authority” means the authority discharging in the area in which the common property is situated the functions of a relevant authority as defined in section 6 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#)”.

(10) In subsection (2) of section 98 (luminous tube signs), after “above—” insert—

(1) Subsection (3) was amended by section 289G of the Criminal Procedure (Scotland) Act 1975 (c. 21).

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““appropriate relevant authority”, in relation to an electrical luminous tube sign, means the authority discharging in the area in which the sign is situated the functions of a relevant authority as defined in section 6 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#)”.

(11) In paragraph 3 of Schedule 2 (control of sex shops), after “Schedule” insert—

““appropriate relevant authority”, in relation to the area of a local authority, means the authority discharging in that area the functions of a relevant authority as defined in section 6 of the [Fire \(Scotland\) Act 2005 \(asp 5\)](#)”.