



# Sewerage (Scotland) Act 1968

## CHAPTER 47

### SEWERAGE (SCOTLAND) ACT 1968

#### PART I

##### GENERAL PROVISIONS AS TO SEWERAGE

###### *Duties and powers of local authorities*

- 1 Duty of local authority to provide for sewerage of their area.
- 2 Maintenance of public sewers and other works.
- 3 Construction etc. of public sewers and public sewage treatment works.
- 3A Authorisation of construction of certain private sewers etc.
- 4 Power of local authority to close or alter public sewers etc.
- 5 .....
- 6 Functions outwith the area of a local authority.
- 7 Agreements between highway and local authorities.
- 8 Agreements as to provision of sewers etc. for new premises.
- 9 Loan of temporary sanitary conveniences.
- 10 Emptying of septic tanks.
- 11 Duty of local authority to keep map showing public sewers etc.

###### *Rights and duties of owners and occupiers*

- 12 Rights of owners and occupiers to connect with and drain into public sewers etc.
- 13 Rights of owners and occupiers to connect with and drain into sewers etc. of another local authority.
- 14 Direction by local authority as to manner of construction of works.
- 15 Owner or occupier to remedy defects in drains and other works.

*Status: Point in time view as at 01/04/2006.*

*Changes to legislation: Sewerage (Scotland) Act 1968 is up to date with all changes known to be in force on or before 11 September 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)*

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### *Vesting of sewers, drains and works*

- 16 Vesting of sewers and other works in local authority.
- 16A Vesting of certain private sewers.
- 17 Local authority may take over private sewage treatment works.

### *Miscellaneous*

- 18 Expenses of local authorities and dissolution of drainage districts.
- 19 .....
- 20 Compensation for loss etc. resulting from exercise of powers under this Part of this Act.
- 21 Buildings not to interfere with sewers.
- 22 Protection for statutory undertakers.
- 23 Restriction on working minerals.

## **PART II**

### TRADE EFFLUENTS

#### *Right to discharge into public sewers*

- 24 Right to discharge into public sewers.

#### *Control of new discharges*

- 25 Meaning of new discharge.
- 26 New discharge only with consent of the authority.
- 27 Procedure on application for consent to new discharge.
- 28 Time to dispose of application.
- 29 Decision on application.
- 30 Intimation of decision.
- 31 Appeal against refusals and conditions.
- 32 Review of consents, conditions and refusals.

#### *Control of existing discharges*

- 33 Meaning of existing discharge.
- 34 Right to continue existing discharge.
- 35 Furnishing of information.
- 36 Review of continuation of existing discharge.

#### *Agreements in lieu of applications for consent*

- 37 Agreements as respects trade premises.
- 37A Register for purposes of Part II.
- 37B Exclusion from register of information affecting national security.
- 37C Exclusion from register of commercially confidential information

### *Supplementary*

- 38 Power to extend Part II to other effluents.

## **PART III**

### MISCELLANEOUS AND GENERAL

- 39 Local authority to have right to sewage.

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- 40 Powers of local authorities as to research and publicity.
- 41 Breaking open of streets, etc.
- 42 Execution of works by local authorities for other persons.
- 43 Power to require occupier to permit works to be executed by owner.
- 44 Power of local authorities to require information as to ownership etc. of premises.
- 45 Production of plans and furnishing of information to authorities.
- 46 Certain matter not to be passed into drains.
- 47 Recovery of expenses by local authority.
- 48 Powers of entry.
- 49 Admissibility of samples as evidence.
- 50 Restriction on disclosure of information.
- 51 Procedure on appeals to Secretary of State.
- 52 Exemption from stamp duties.
- 53 Notices etc. to be in writing.
- 54 Local enactments.
- 55 Application of Act to Crown premises.
- 56 Saving for Coast Protection Act 1949.
- 57 Expenses.
- 58 Orders.
- 59 Interpretation.
- 60 Amendments and repeals.
- 61 Short title, extent and commencement.

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#### SCHEDULE 1 — CONSEQUENTIAL AMENDMENTS

##### *The Public Health (Scotland) Act 1897*

- 1 .....
- 2 There shall be inserted at the beginning of section 116...

##### *The Local Government (Scotland) Act 1947*

- 3 In Schedule 6, item 11, for the words “Section 139...

##### *The Radioactive Substances Act 1960*

- 4 .....

#### SCHEDULE 2 — ENACTMENTS REPEALED

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