



Sewerage (Scotland) Act 1968

1968 CHAPTER 47

PART I

GENERAL PROVISIONS AS TO SEWERAGE

Duties and powers of local authorities

[^{F1}10 Emptying of septic tanks.

- (1) It shall be the duty of [^{F2}Scottish Water] to empty a septic tank serving premises in [^{F3}its] area on [^{F3}its] being requested to do so by the owner or occupier of the premises; but that duty is subject to subsection (2) below and as respects any particular septic tank—
 - (a) to its being reasonably practicable to empty the tank; and
 - (b) to all proper charges for [^{F3}its] doing so being timeously paid.
- (2) The duty does not extend to septic tanks which receive trade effluent; but [^{F4}Scottish Water] may, at the request of an owner or occupier of premises served by any such septic tank, agree to empty it on such conditions as to payment or otherwise as [^{F5}it thinks] fit.
- (3) If any question arises under this section as to whether emptying is reasonably practicable or as to whether a septic tank receives trade effluent, it shall be determined summarily by the sheriff, whose decision in the matter shall be final.
- (4) For the purposes of subsection (1) above, a charge is proper if fixed in accordance with, and timeously paid if paid in accordance with, a charges scheme (within the meaning of [^{F6}the Water Industry (Scotland) Act 2002 (asp 3)]).

Textual Amendments

- F1** S. 10 and sidenote substituted (1.4.1996) by 1994 c. 39, s. 102 (with s. 74(4)); S.I. 1996/323, art. 4(1) (a), Sch. 1

Changes to legislation: Sewerage (Scotland) Act 1968, Section 10 is up to date with all changes known to be in force on or before 22 April 2024. 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](#)

- F2** Words in s. 10(1) 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. 10(1) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 14\(a\)](#) (with s. 67); [S.S.I. 2002/118, art. 2](#)
- F4** Words in s. 10(2) 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. 10(2) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 14\(b\)](#) (with s. 67); [S.S.I. 2002/118, art. 2](#)
- F6** Words in s. 10(4) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 14\(c\)](#) (with s. 67); [S.S.I. 2002/118, art. 2](#)

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\(2\)\(b\)](#)