



Sewerage (Scotland) Act 1968

1968 CHAPTER 47

PART I

GENERAL PROVISIONS AS TO SEWERAGE

Vesting of sewers, drains and works

[^{F1} 16A Vesting of certain private sewers.

- (1) Subject to any agreement entered into under subsection (2) below, there shall vest in a person authorised, under subsection (1) of section 3A of this Act, by [^{F2} Scottish Water] to construct a sewer not connecting with [^{F3} its] sewers or sewage treatment works the sewer constructed; and any sewer vested in a person by this subsection [^{F4} and any sewer or SUD system vested in a person] by a determination under subsection (2) of that section shall be his property and he solely responsible for its management, maintenance and renewal.
- (2) Notwithstanding subsection (1) above, [^{F5} Scottish Water] may, on such terms and conditions as [^{F6} it thinks] fit, at any time enter into an agreement under which the sewer [^{F7} or SUD system] , or any part of it, shall vest in [^{F8} it] .]

Textual Amendments

- F1** S. 16A and sidenote inserted (4.1.1995) by 1994 c. 39, s. 180(1), **Sch. 13 para. 75(14)**; S.I. 1994/2850, **art. 3(c)(vi)** (with **art. 4**)
- F2** Words in s. 16A(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. 16A(1) substituted (1.4.2002) by **Water Industry (Scotland) Act 2002** (asp 3), s. 71, **Sch. 5 para. 21(a)** (with s. 67); S.S.I. 2002/118, **art. 2**
- F4** Words in s. 16A(1) substituted (30.11.2007) by **Water Environment and Water Services (Scotland) Act 2003** (asp 3), s. 38(1), **Sch. 3 para. 14(a)**; S.S.I. 2007/512, art. 2(c)
- F5** Words in s. 16A(2) substituted (1.4.2002) by **Water Industry (Scotland) Act 2002** (asp 3), s. 71, **Sch. 5 para. 3** (with s. 67); S.S.I. 2002/118, **art. 2**

Changes to legislation: Sewerage (Scotland) Act 1968, Section 16A is up to date with all changes known to be in force on or before 10 August 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) [View outstanding changes](#)

- F6** Words in s. 16A(2) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 21\(b\)\(i\)](#) (with s. 67); S.S.I. 2002/118, [art. 2](#)
- F7** Words in s. 16A(2) inserted (30.11.2007) by [Water Environment and Water Services \(Scotland\) Act 2003 \(asp 3\), s. 38\(1\), Sch. 3 para. 14\(b\)](#); S.S.I. 2007/512, [art. 2\(c\)](#)
- F8** Words in s. 16A(2) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\), s. 71, Sch. 5 para. 21\(b\)\(ii\)](#) (with s. 67); S.S.I. 2002/118, [art. 2](#)

Modifications etc. (not altering text)

- C1** S. 16A: power to modify conferred (*temp.* from 4.1.1995 to 1.4.1996) by [1994 c. 39, s. 182\(2\)](#); S.I. 1994/2850, [art. 3\(a\)](#), [Sch. 2](#) (with [art. 4](#))

Changes to legislation:

Sewerage (Scotland) Act 1968, Section 16A is up to date with all changes known to be in force on or before 10 August 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.

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