



# Sewerage (Scotland) Act 1968

## 1968 CHAPTER 47

### PART II

#### TRADE EFFLUENTS

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

#### **[<sup>F1</sup> 37B Exclusion from register of information affecting national security.**

- (1) No information shall be included in a register maintained under section 37A of this Act if and so long as, in the opinion of the Secretary of State, the inclusion in the register of that information, or of information of that description, would be contrary to the interests of national security.
- (2) The Secretary of State may, for the purposes of subsection (1) above, give to [<sup>F2</sup>Scottish Water] directions—
  - (a) specifying information, or descriptions of information, to be excluded from the register; or
  - (b) specifying descriptions of information to be referred to him for his determination;and no information referred to him in pursuance of paragraph (b) above shall be included in the register until he determines that it should be so included.
- (3) [<sup>F3</sup>Scottish Water] shall notify the Secretary of State of any information [<sup>F4</sup>it excludes] from the register in pursuance of directions under subsection (2) above.
- (4) A person may, as respects any information which (but for this section) might be included in the register but which he believes may be information whose inclusion would be contrary to the interests of national security, by notice so inform the Secretary of State, specifying the information and indicating its apparent nature; and if the person does so—
  - (a) he shall advise [<sup>F5</sup>Scottish Water] that he has given such notice; and

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**Changes to legislation:** Sewerage (Scotland) Act 1968, Section 37B is up to date with all changes known to be in force on or before 20 June 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

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- (b) no information in respect of which such advice has been given shall be included in the register until the Secretary of State has determined that it should be so included.]

#### Textual Amendments

- F1** S. 37B and sidenote inserted (30.6.1999) by 1994 c. 39, s. 103 (with s. 74(4)); S.I. 1998/2532, art. 2
- F2** Words in s. 37B(2) substituted (14.7.2004) by Water Industry (Scotland) Act 2002 (Consequential Modifications) Order 2004 (S.I. 2004/1822), art. 1(1), Sch. para. 6(a)
- F3** Words in s. 37B(3) substituted (14.7.2004) by Water Industry (Scotland) Act 2002 (Consequential Modifications) Order 2004 (S.I. 2004/1822), art. 1(1), Sch. para. 6(b)(i)
- F4** Words in s. 37B(3) substituted (14.7.2004) by Water Industry (Scotland) Act 2002 (Consequential Modifications) Order 2004 (S.I. 2004/1822), art. 1(1), Sch. para. 6(b)(ii)
- F5** Words in s. 37B(4) substituted (14.7.2004) by Water Industry (Scotland) Act 2002 (Consequential Modifications) Order 2004 (S.I. 2004/1822), art. 1(1), Sch. para. 6(c)

#### Modifications etc. (not altering text)

- C1** S. 37B: Certain functions made exercisable by the Scottish Ministers concurrently with the Minister (1.7.1999) by S.I. 1999/1750, arts. 1, 3, Sch. 2 (with art. 7); S.I. 1998/3178, art. 3

**Changes to legislation:**

Sewerage (Scotland) Act 1968, Section 37B is up to date with all changes known to be in force on or before 20 June 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\(2\)\(b\)](#)