

SCHEDULES

SCHEDULE 16

Section 135.

AMENDMENT OF ENACTMENTS RELATING TO RIVER PURIFICATION

Rivers (Prevention of Pollution) (Scotland) Act 1951

- 1 In section 6(1) (financial provisions) for the words "counties and large burghs whose districts" there shall be substituted the words "regions whose areas " and for the words " administrative scheme of" there shall be substituted the words " order constituting ".
- 2 For section 10(1) (provision as to officers and servants), there shall be substituted the following subsection:—
 - “(1) Subject to the provisions of the order establishing the board under section 135 of the Local Government (Scotland) Act 1973 a river purification board shall appoint such officers as they think necessary for the proper discharge by the river purification board of their functions and may pay to such officers such reasonable salaries as the board may determine and shall make appropriate arrangements for the superannuation of such officers as if they were employees of a local authority and any officers so appointed shall hold office during the pleasure of the board”.
- 3 In section 12(1) (power to appoint agents, etc.), after the word " scheme " there shall be inserted the words " prepared in pursuance of an order under section 135(5) and (6)(b) of the Local Government (Scotland) Act 1973 ".
- 4 For section 13 (application of local government enactments), there shall be substituted the following section:—
 - “(1) The following provisions of the Local Government (Scotland) Act 1973 that is to say—
 - (a) section 82 (Promotion of or opposition to private legislation) ;
 - (b) section 192 (Service of notices);
 - (c) section 202 (Procedure etc. for byelaws) ;
 - (d) section 204 (Evidence of byelaws);
 - (e) section 211 (Provision for default);shall apply in relation to a river purification board as they apply in relation to a local authority, provided that in the application of the said section 202 to a river purification board for subsection (13) there shall be substituted the following subsection—
 - “(13) The proper officer of a river purification board shall send a copy of any byelaws made by the board to the proper officer of the council of each region and district to the whole or any part of which the byelaws will apply””

Status: This is the original version (as it was originally enacted).

- 5 In section 17(2) (river purification authorities), for the words from " (a) in relation " to the end there shall be substituted the words " river purification boards established under section 135 of the Local Government (Scotland) Act 1973 and islands councils ".
- 6 In section 18(3) (provision of information), for the words from " fees " to the end there shall be substituted the words " reasonable fees as may be determined by the river purification authority ".
- 7 In section 26 (supplementary provisions regarding byelaws), for subsection (9), there shall be substituted the following subsection—
- “(9) Byelaws made by the Secretary of State under subsection (7) or (8) of this section shall have effect as if they had been made by the authority concerned and confirmed by the Secretary of State”.
- 8 In section 29(4) (application of Act to tidal waters), the words from " subject" onwards shall cease to have effect.
- 9 In section 30(2) (local inquiries), for the words " subsections (2) to (9) of section three hundred and fifty-five of the Local Government (Scotland) Act 1947" there shall be substituted the words " Subsections (2) to (8) of section 210 of the Local Government (Scotland) Act 1973 ".
- 10 In section 35(1) (interpretation), in the definition of "local authority " for the words " county or town " there shall be substituted the words " regional, islands or district " and in the definitions of " river purification board " and " river purification board area " for the words " section two of this Act" there shall be substituted the words " section 135 of the Local Government (Scotland) Act 1973 ".