



Control of Pollution Act 1974

1974 CHAPTER 40

PART VI

MISCELLANEOUS AND GENERAL

General

106 General application to Scotland.

- (1) The provisions of this section shall, in addition to any express provision for the application to Scotland of any provision of this Act, have effect for the general application of this Act to Scotland.
- ^{F1}(2)
- [^{F2}(3) In this Act “region”, “district”, “regional council”, “islands council” and “district council” have respectively the same meanings as in the ^{M1}Local Government (Scotland) Act 1973.]
- [^{F3}(4) Any reference in this Act to a highway shall, unless the contrary intention appears, include a reference to any public right of way.]
- (5) Any question which is required by any provision of this Act to be determined by arbitration shall be determined by a single arbiter appointed, in default of agreement between the parties concerned, by the Secretary of State on the application of any of the parties.
- (6) For any reference in this Act to a magistrates’ court there shall be substituted a reference to the sheriff.
- ^{F4}(7)
- (8) For any reference in this Act to the London Gazette there shall be substituted a reference to the Edinburgh Gazette.

Changes to legislation: There are currently no known outstanding effects for the Control of Pollution Act 1974, Section 106. (See end of Document for details)

- (9) In this Act “owner” means the person for the time being entitled to receive or who would, if the same were let, be entitled to receive, the rents of the premises in connection with which the word is used and includes a trustee, factor, tutor or curator, and, in the case of public or municipal property, includes the persons to whom the management thereof is entrusted.

Textual Amendments

- F1** S. 106(2) repealed (1.4.1996) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**
- F2** S. 106(3) repealed (S.) (1.4.1996) by 1994 c. 39, s. 180(2), **Sch. 14**; S.I. 1996/323, art. 4(1)(d), **Sch. 2**
- F3** S. 106(4) repealed (S.) by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(1), Sch. 9 para. 74(7), **Sch. 11**
- F4** S. 106(7) repealed (S.) (1.10.2009) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), **Sch. 3 Pt. 1** (with s. 127); S.S.I. 2009/319, art. 2(a), Sch. 1

Marginal Citations

- M1** 1973 c. 65.

Changes to legislation:

There are currently no known outstanding effects for the Control of Pollution Act 1974, Section 106.