



# Civic Government (Scotland) Act 1982

## CHAPTER 45

### CIVIC GOVERNMENT (SCOTLAND) ACT 1982

#### PART I

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- 3 Discharge of functions of licensing authorities.
- 4 Further provisions as to licensing.
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- 6 Powers of entry to and search of unlicensed premises.
- 7 Offences, etc.
- 8 Interpretation of Parts I and II.

#### PART II

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- 12 Fees for taxi and private hire car licences.
- 13 Taxi and private hire car driving licences.
- 14 Signs on vehicles other than taxis.
- 15 Operation of taxis outside licensing areas.
- 16 Journeys in England and Wales by vehicles and drivers licensed under this Act.
- 17 Taxi fares.

*Status: Point in time view as at 04/01/1995.*

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- 18 Appeals in respect of taxi fares.
- 19 Taxi stances.
- 20 Regulations relating to taxis and private hire cars and their drivers.
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- 41 Public entertainment licences.
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**PART III**

CONTROL OF SEX SHOPS

- 45 Control of sex shops.

**PART IV**

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- 46 Soliciting and importuning by prostitutes.
- 47 Urinating etc.
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- 49 Dangerous and annoying creatures.
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- 52 Indecent photographs etc. of children.
- 52A Possession of indecent photographs of children.
- 53 Obstruction by pedestrians.
- 54 Playing instruments, singing, playing radios, etc.
- 55 Touting.
- 56 Fires.

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86 Interpretation and Crown application of this Part.

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- 88 Installation of pipes through neighbouring property.
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- 92 Cleaning and painting of common stairs, etc.
- 93 Fire precautions in common stairs etc.
- 94 Disused petrol containers.
- 95 Private open spaces.
- 96 Statues and monuments.
- 97 Street names and house numbers.
- 98 Luminous tube signs.

#### *Powers of entry, execution of works, etc.*

- 99 Power to enter, execute works and recover expense.
- 100 Interest on expenses.
- 101 Offences relating to powers of entry and carrying out of works.
- 102 Entry warrants.
- 103 Execution of owner’s works by occupier.
- 104 Powers of entry: occupier and owner.
- 105 Contents of notices.
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- 108 Recovery of expenses incurred under section 87 by charging order.
- 109 Replacement of provisions of this Part by Health and Safety Regulations.

### **PART IX**

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#### *Byelaws*

- 110 (1) The Local Government (Scotland) Act 1973 shall be amended...

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111 Cessation of certain byelaws and saving for certain byelaws.

*Management rules*

112 Making of management rules.  
113 Evidence of management rules.  
114 Publication of management rules.  
115 Inspection and copies of management rules.  
116 Expulsion or exclusion for breach of management rules.  
117 Exclusion orders.  
118 Offences.

*Regulation of charitable collections*

119 Regulation of charitable collections.

*The seashore etc.*

120 Savings for Crown and other rights.  
121 Control of the seashore, adjacent waters and inland waters.  
122 Power to execute works on seashore.  
123 Interpretation of sections 120 to 122.

*Refuse collection and disposal*

124 Collection and disposal of household and trade waste.  
125 Interference with dustbins etc.  
126 Repeal of sections 124 and 125, savings and transitional provisions.

*Miscellaneous*

127 Advertising on local authority lands, vehicles etc.  
128 Control of stray dogs.  
129 Killing of or injury to dogs worrying livestock.

*General*

130 Offences by bodies corporate.  
131 Application to Crown.  
132 Expenses.  
133 Interpretation.  
134 Postponement of repeal of Burgh Police (Scotland) Acts and local statutory provisions.  
135 Acceleration of repeal of certain provisions of the Burgh Police (Scotland) Acts and certain local statutory provisions.  
136 Consequential, transitional and supplementary provisions.  
137 Citation, commencement, repeals and extent.

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SCHEDULES

SCHEDULE 1 — Licensing—Further Provisions as to the General System

*Applications for the grant and renewal of licences*

1 (1) An application to a licensing authority for the grant...

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- 2 (1) A licensing authority shall, as soon as an application...

*Objections and representations*

- 3 (1) Any objection or representation relating to an application for...

*Disposal of applications for the grant and renewal of licences*

- 4 (1) In considering an application for the grant or renewal...

- 5 (1) Where an application for the grant or renewal of...

*Restriction on successive applications*

- 6 Where a licensing authority have refused an application for the...

*Temporary licences*

- 7 (1) A licensing authority may grant a licence to have...

*Duration of licences*

- 8 (1) Subject to and in accordance with the provisions of...

*Notification of changes and alterations*

- 9 (1) Where there is a material change of circumstances affecting...

*Variation and suspension of licences*

- 10 (1) A licensing authority may, at any time, whether or...

- 11 (1) A licensing authority may, whether upon a complaint made...

- 12 (1) A licensing authority shall, whether upon a complaint made...

*Supplementary*

- 13 (1) A holder of a licence may at any time...

- 14 (1) A licensing authority shall cause to be kept a...

*Fees*

- 15 (1) A licensing authority shall, subject to sub-paragraph (2) below—...

*Sending of notice by post*

- 16 When a licensing authority sends by post, for the purposes...

*Notification of the decisions and giving of reasons*

- 17 (1) A licensing authority shall, within 10 days of being...

*Appeals*

- 18 (1) Subject to sub-paragraph (2) below, a person who may,...

*Interpretation*

- 19 In this Schedule, “relevant objection or representation” means—

SCHEDULE 2 — Control of Sex Shops

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*Saving for existing law*

- 1 Nothing in this Schedule— (a) shall afford a defence to...

*Meaning of “sex shop” and “sex article”*

- 2 (1) In this Schedule “sex shop” means any premises, vehicle,...

*Miscellaneous definitions*

- 3 In this Schedule— “chief constable”, in relation to the area...

*Requirement for licences for sex shops*

- 4 Subject to the provision of this Schedule, no person shall...

*Waivers*

- 5 (1) Any person who— (a) uses in any area any...

*Applications for the grant and renewal of licences*

- 6 (1) An application for the grant or renewal of a...

*Notification of applications*

- 7 (1) An applicant for the grant or renewal of a...

*Objections and representations*

- 8 (1) The district or islands council shall, as soon as...

*Disposal of applications for licences*

- 9 (1) Where an application for the grant or renewal of...

*Notification of decisions and reasons*

- 10 (1) The district or islands council shall, in accordance with...

*Display of licences in sex shops*

- 11 The holder of a licence under this Schedule shall keep...

*Duration of licences*

- 12 (1) Subject to and in accordance with the provisions of...

*Revocation of licences*

- 13 (1) The district or islands council may at any time...

*Notification of changes of circumstances*

- 14 (1) Where there is a material change of circumstances affecting...

*Variation of licences*

- 15 (1) A district or islands council may, at any time,...

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#### *Surrender of licence*

- 16 (1) A holder of a licence may at any time...

#### *Register of Applications*

- 17 (1) A district or islands council shall cause to be...

#### *Fees*

- 18 (1) A district or islands council shall, subject to sub-paragraph...

#### *Enforcement*

- 19 (1) A person who— (a) without reasonable excuse uses any...

#### *Rights of entry and inspection*

- 20 (1) Without prejudice to any other provision of this Schedule...

#### *Powers of entry and search*

- 21 (1) If a justice of the peace or sheriff is...

#### *Sending of notice by post*

- 22 When a district or islands council sends by post, for...

#### *Notification of decisions and giving of reasons*

- 23 (1) A district or islands council shall, within 10 days...

#### *Appeals*

- 24 (1) Subject to sub-paragraph (2) below, a person who may,...

#### *Provisions relating to existing premises*

- 25 (1) Without prejudice to any enactment other than this Schedule...

Schedule 2A — Retention and disposal of property seized under section 54(2A) of this Act

#### *Application*

- 1 This schedule applies to property seized under section 54(2A) of...

#### *Retention*

- 2 (1) Subject to sub-paragraph (2) below, property to which this...

#### *Arrangements for custody of property*

- 3 (1) Subject to the proviso to section 17(3)(b) of the...

#### *Disposal*

- 4 Where the period of retention permitted by paragraph 2 above...  
5 (1) Subject to sub-paragraphs (5) and (6) below, the owner...  
6 (1) Where this sub-paragraph applies, the chief constable may—



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*Appeals*

7 (1) A claimant under sub-paragraph (2) of paragraph 5 above...

*Interpretation*

8 In this Schedule— “ chief constable ” means the chief...

SCHEDULE 3 — Minor and Consequential Amendments

*The Roads and Bridges (Scotland) Act 1878 (c. 51)*

1 .....

*The Firearms Act 1968 (c. 27)*

2 In Schedule 2 to the Firearms Act 1968 (offences to...

*The Breeding of Dogs Act 1973 (c. 60)*

3 In the Breeding of Dogs Act 1973—

4 .....

*The Public Passenger Vehicles Act 1981 (c. 14)*

5 In section 79 of the Public Passenger Vehicles Act 1981...

Schedule 4 — Repeals

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