

1976 No. 1080 (C. 31) (S. 92)

PUBLIC HEALTH, SCOTLAND

**The Control of Pollution Act 1974 (Commencement No. 7)
Order 1976**

Made - - - - - *7th July 1976*

In exercise of the powers conferred on me by section 109(2) of the Control of Pollution Act 1974(a), and of all other powers enabling me in that behalf, I hereby make the following order:—

1. This order may be cited as the Control of Pollution Act 1974 (Commencement No. 7) Order 1976.

2. The Interpretation Act 1889(b) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

3. The provisions of the Control of Pollution Act 1974 (hereinafter referred to as “the Act”) which are specified in column 1 of the Schedule to this order and which relate to the subject matter specified in column 2 thereof shall come into force in respect of Scotland only on 18th July 1976.

4. The Control of Pollution Act 1974 (Scotland) (Commencement No. 6) Order 1976(c) is hereby revoked.

Bruce Millan,
One of Her Majesty’s Principal
Secretaries of State.

New St Andrew’s House,
Edinburgh.
7th July 1976.

(a) 1974 c. 30.

(b) 1889 c. 63.

(c) S.I. 1976/944 (1976 II, p. 2455).

SCHEDULE

Provisions of the Act	Subject Matter of Provisions
<i>In Part I</i>	
Section 17 except section 17(3)(a)	Special provisions with respect to certain dangerous or intractable waste;
Section 27(1)(a) and 27(2)	Interference with refuse tips and dustbins etc;
<i>In Part III</i>	
Section 57(a)	Periodical inspections by local authorities;
Section 58 except section 58(6) and in section 58(8) the references to sections 60 and 61	Summary proceedings by local authorities;
Section 59	Summary proceedings by occupier of premises;
Section 62	Noise in streets;
Section 68	Noise from plant or machinery;
Section 69 except so far as applying or referring to "a noise reduction notice" or to section 65	Execution of works by local authority;
Section 70	Appeals to Secretary of State and sheriff;
Section 71(1) and 71(3)	Codes of practice for minimising noise;
Section 72	"Best practicable means";
Section 73 except the definitions of "noise abatement order", "noise abatement zone", "noise level register" and "noise reduction notice".	Interpretation and other supplementary provisions;
Section 74	Penalties;
<i>In Part IV</i>	
Section 76	Regulations about sulphur content of oil fuel for furnaces or engines;
Section 84	Interpretation of Part IV;
<i>In Part V</i>	
Section 85	Appeals to Court of Session etc;
Section 87	Miscellaneous provisions relating to legal proceedings;
Section 89	Expenses and receipts of Secretary of State etc;
Section 90	Establishment charges and interest in respect of certain expenses of authorities;
Section 91	Rights of entry and inspection etc;
Section 92	Provisions supplementary to section 91;
Section 93	Power of authorities to obtain information;
Section 94 with the exception of section 94(2)(a)(ii)	Prohibition of disclosure of information;
Section 96	Local inquiries;
Section 98	Interpretation of Part V;
<i>In Part VI</i>	
Section 108(1)	Minor and consequential amendments of enactments, and repeals.
So far as it applies to the provisions of Schedule 3 which are specified below	

Provisions of the Act	Subject Matter of Provisions
Section 108(2) So far as it applies to the provisions of Schedule 4 which are specified below Section 108(3) <i>In Schedule 3</i> , paragraphs 16, 22 and 26 <i>In Schedule 4</i> The entries relating to The Clean Air Act 1956(a) Schedule 2 The Noise Abatement Act 1960(b) The Criminal Justice Act 1967(c) The entry relating to section 22 of the Public Health (Scotland) Act 1897(d)	

(a) 1956 c. 52.
(c) 1967 c. 80.

(b) 1960 c. 68.
(d) 1897 c. 38.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings certain provisions of the Control of Pollution Act 1974 into force in Scotland on 18th July 1976.

SI 1976/1080
ISBN 0-11-061080-6

