CHAPTER 40.

An Act to amend the law with respect to the discharge of trade effluents into public sewers of local authorities. [1st July 1937.]

A.D. 1937.

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Right to discharge trade effluents into public sewers. 26 Geo. 5. & 1 Edw. 8. c. 49.

1.—(1) Subject to the provisions of this Act and of any byelaws under this Act which are for the time being in force, and notwithstanding any restriction imposed by paragraph (*a*) of the proviso to subsection (1) of section thirty-four of the Public Health Act, 1936 (hereafter in this Act referred to as " the principal Act "), the occupier of any trade premises within the district of a local authority may, with the consent of the local authority or, so far as is permitted by any such byelaws as aforesaid, without such consent, discharge into the public sewers of the local authority any trade effluent proceeding from those premises.

(2) Nothing in paragraphs (*a*) and (*b*) of subsection (1) of section twenty-seven of the principal Act (which prohibits the passing of certain matters into public sewers) shall apply in relation to any trade effluent which, by virtue of this Act, may lawfully be discharged into a public sewer; and subsections (2) to (5) of section thirty-four of the principal Act (which regulate the

A.D. 1937.

making of connections with public sewers for the purpose of drainage into such sewers) shall apply in relation to the lawful discharge of any trade effluent into public sewers as those subsections apply in relation to any discharge of matters into such sewers which is authorised by subsection (1) of that section.

(3) Section twenty-six of the principal Act is hereby repealed.

Special restrictions on discharge of trade effluents.

2.—(1) No trade effluent shall be discharged from any trade premises into a public sewer of a local authority otherwise than in accordance with a written notice (hereafter in this Act referred to as " a trade effluent notice ") served on the local authority by the owner or occupier of the premises, stating—

(*a*) the nature or composition of the trade effluent,

(*b*) the maximum quantity of the trade effluent which it is proposed to discharge on any one day, and

(*c*) the highest rate at which it is proposed to discharge the trade effluent;

and no trade effluent shall be discharged in accordance with such a notice until the expiration of the period of two months, or such less time as may be agreed to by the local authority, from the day on which the notice is served on the local authority (hereafter in this Act referred to as " the initial period ").

(2) In so far as the discharge of any trade effluent in accordance with a trade effluent notice would not be lawful without the consent of the local authority, the notice shall be deemed to be an application for that consent.

(3) Where a trade effluent notice in respect of any premises is served on a local authority, the local authority may, at any time within the initial period, give to the owner or occupier, as the case may be, of those premises a direction that no trade effluent shall be discharged in pursuance of the notice until a specified date after the end of the initial period; and, in so far as the discharge of any trade effluent in accordance with the trade effluent notice requires the consent of the local authority in order to be lawful, the local authority may give that

consent either unconditionally or subject to such conditions as the local authority think fit to impose with respect to—

(*a*) the sewer or sewers into which any trade effluent may be discharged in pursuance of the trade effluent notice,

(*b*) the nature or composition of the trade effluent which may be so discharged,

(*c*) the maximum quantity of any trade effluent which may be so discharged on any one day, either generally or into a particular sewer,

(*d*) the highest rate at which any trade effluent may be discharged in pursuance of the trade effluent notice, either generally or into a particular sewer, and

(*e*) any other matter with respect to which byelaws may be made under this Act;

but any such condition as aforesaid shall be of no effect if and so far as it is inconsistent with any byelaws so made which are for the time being in force.

(4) A local authority, on receiving a trade effluent notice duly served on them, shall forthwith send a copy of the notice to any interested body, and the local authority shall not have power to take any further action under the preceding provisions of this section in relation to the notice, without the approval of the body or bodies (if any) to whom the local authority are required by this subsection to send a copy of the notice.

(5) If, in the case of any trade premises—

(*a*) any trade effluent is discharged in contravention of this section, or without such consent (if any) as is necessary for the purposes of this Act, or

(*b*) any direction or condition given or imposed under this section is contravened,

the occupier of the premises shall be guilty of an offence.

Appeals to the Minister.

3.—(1) Any person aggrieved by a direction of a local authority given under the last preceding section in relation to a trade effluent notice, or by the refusal of a local authority to give a consent for which application has been duly made to them by means of such a notice, or by the failure of a local authority to give such a

A.D. 1937.

consent within the initial period, or by any condition attached by a local authority to such a consent, may appeal to the Minister, and upon any such appeal the Minister—

(*a*) where the appeal is in respect of such a direction as aforesaid, may either annul the direction or modify it by substituting an earlier date for the date specified in the direction as the date before which no trade effluent is to be discharged in pursuance of the notice,

(*b*) where the appeal is in respect of such a refusal or failure as aforesaid, may give the necessary consent, either unconditionally or subject to any such condition as the Minister thinks fit to impose for determining any of the matters mentioned in paragraphs (*a*) to (*e*) of subsection (3) of the last preceding section,

(*c*) where the appeal is in respect of such a condition as aforesaid in relation to any matter, may either annul the condition or substitute therefor any less stringent condition in relation to the same matter, or

(*d*) in any case, may dismiss the appeal;

and the decision of the Minister on any such appeal shall be final:

Provided that at any stage of the proceedings on such an appeal the Minister may, and, if so directed by the High Court, shall, state in the form of a special case for the opinion of the High Court any question of law arising in those proceedings.

(2) For the avoidance of doubt it is hereby declared that a person aggrieved by the failure of a local authority to give such a consent as aforesaid within the initial period has a right of appeal under this section, notwithstanding that the failure may be occasioned only by the fact that an interested body have not approved the giving of the consent.

(3) Where, by virtue of this section, the Minister modifies a direction or gives a consent or imposes a condition, then for the purposes of the preceding sections of this Act, the direction, as so modified, or the consent or condition, as the case may be, shall be deemed to have been duly given or imposed by the local authority under the last preceding section.

A.D. 1937.

Exemption.

4.—(1) For the purposes of this Act the consent of a local authority to the discharge of any trade effluent from any trade premises into a sewer of the local authority shall not be necessary, if any trade effluent of the same nature or composition as that of the trade effluent in question was lawfully discharged as aforesaid from those premises into that sewer at some time within the period of one year ending on the third day of March, nineteen hundred and thirty-seven, and if and so long as—

(*a*) the quantity of the trade effluent discharged from the premises into the sewer on any one day does not exceed the maximum quantity thereof so discharged on any one day during the said period, and

(*b*) the rate at which the trade effluent is discharged from the premises into the sewer is not higher than the highest rate at which it was so discharged during the said period, and

(*c*) (where the trade effluent was at any time within the said period discharged into the sewer under an agreement between the local authority and the owner or occupier of the trade premises, being an agreement which was in force at the end of the said period but has thereafter ceased to be in force) the owner or occupier of those premises makes to the local authority, in accordance with the terms of the agreement, such payments (if any) in respect of the reception of the trade effluent into the sewer as he would have been obliged to make under that agreement if it were still in force.

(2) Where, in relation to any premises having a drain or sewer communicating with a public sewer or a cesspool, the local authority, acting in pursuance of section forty-two of the principal Act, have, whether before or after the commencement of this Act, closed that drain or sewer (hereinafter referred to as "the old drain or sewer") and provided in lieu thereof another drain or sewer (hereinafter referred to as "the new drain or sewer") communicating with a public sewer, the consent of the local authority to the discharge of any trade effluent through the new drain or sewer into the public

A.D. 1937. sewer with which it communicates shall not be necessary for the purposes of this Act—

(*a*) if, at some time during the period of one year immediately before the date on which the old drain or sewer was so closed, any trade effluent of the same nature or composition as that of the trade effluent in question was lawfully discharged through the old drain or sewer into the public sewer or the cesspool, as the case may be, with which it communicated; and

(*b*) if and so long as—

(i) the quantity of the trade effluent which, on any one day, is discharged through the new drain or sewer into the public sewer with which it communicates does not exceed the maximum quantity of the trade effluent which, on any one day during the said period, was discharged through the old drain or sewer into the public sewer or the cesspool, as the case may be, with which it communicated, or (where, immediately before it was so closed, the old drain or sewer communicated with a cesspool) does not exceed such greater quantity, if any, as may be substituted for the said maximum quantity by agreement between the local authority and the owner or occupier of the trade premises or, in default of such agreement, by order of the Minister, and

(ii) the rate at which the trade effluent is discharged through the new drain or sewer into the public sewer with which it communicates is not higher than the highest rate at which the trade effluent was, during the said period, discharged through the old drain or sewer into the public sewer or the cesspool, as the case may be, with which it communicated.

(3) None of the restrictions imposed by the preceding sections of this Act shall apply in relation to any discharge of trade effluent to which, by virtue of subsection (1) or subsection (2) of this section, the consent of the local authority is not necessary.

(4) The consent of a local authority to the discharge, from any premises into a sewer of the local authority, of any liquid produced solely in the course of laundering articles on those premises shall not be necessary for the purposes of this Act.

(5) Any dispute arising under this Act as to the nature or composition of any trade effluent discharged from any trade premises into a sewer of a local authority during such a period as is mentioned in subsection (1) or subsection (2) of this section, or as to the quantity of trade effluent so discharged on any one day during such a period, or as to the rate at which trade effluent was so discharged during such a period, shall, unless the parties otherwise agree, be referred to the Minister for determination; and upon any such reference the Minister may make such order in the matter as he thinks just, and the order shall be final:

Provided that at any stage of the proceedings on such a reference the Minister may, and, if so directed by the High Court, shall, state in the form of a special case for the opinion of the High Court any question of law arising in those proceedings.

Byelaws of local authorities.

5.—(1) A local authority may, and, if required by the Minister, shall, make byelaws (hereafter in this Act referred to as "trade effluents byelaws") with respect to the discharge of any trade effluent, or trade effluent of any particular nature or composition, from trade premises into any public sewer of the local authority, and such byelaws may provide for all or any of the following matters, that is to say:—

(*a*) for determining the period or periods of the day during which the trade effluent may be discharged from any trade premises into the sewer;

(*b*) for requiring the exclusion from the trade effluent of all condensing water;

(*c*) for requiring that, before the trade effluent enters the sewer, there shall be eliminated from the effluent any such constituent thereof as may be specified in the byelaws, being a constituent as to which the authority making the byelaws is satisfied that it would, either alone or in combination with any matter with which it is

A.D. 1937.

likely to come into contact while passing through any sewers,—

(i) injure or obstruct those sewers, or make specially difficult or expensive the treatment or disposal of the sewage from those sewers, or

(ii) (where the trade effluent is to be, or is, discharged into a sewer having an outfall into any harbour or tidal water or into a sewer which connects directly or indirectly with a sewer or sewage disposal works having such an outfall) cause or tend to cause injury or obstruction to the navigation on, or the use of, the said harbour or tidal water;

(*d*) for determining the maximum quantity of the trade effluent which may, without the consent of the local authority, be discharged from any trade premises into the sewer on any one day, and the highest rate at which the trade effluent may, without such consent, be discharged from any trade premises into the sewer;

(*e*) for regulating the temperature of the trade effluent at the time when it is discharged into the sewer, and for securing so far as reasonably practicable that the trade effluent, when so discharged, shall be neutral, that is to say, neither acid nor alkaline;

(*f*) for requiring the several occupiers of trade premises from which the trade effluent is discharged into the sewer to pay to the local authority such charge for the reception of the trade effluent into the sewer, and for the disposal thereof, as may be specified in the byelaws, regard being had to the composition and volume of the trade effluent so discharged, and to any additional expense incurred or likely to be incurred by a sewerage authority in connection with the reception or disposal of the trade effluent;

(*g*) for the provision and maintenance of such an inspection chamber or manhole as will enable a person readily to take at any time samples of what is passing into the sewer from the premises;

(*h*) for the provision and maintenance of such meters as may be required to measure the volume of any trade effluent being discharged from the premises into the sewer, and for the testing of such meters.

Trade effluents byelaws providing for any of the matters mentioned in paragraphs (*a*) and (*d*) of this subsection may make different provision in relation to different descriptions of trade premises and in relation to different parts of the district of the local authority.

(2) Nothing in any trade effluents byelaws, in so far as they provide for matters other than those specified in paragraphs (*e*), (*g*) and (*h*) of the preceding subsection, shall apply in relation to any discharge of trade effluents to which, by virtue of the last preceding section, the consent of the local authority is not necessary, and nothing in any trade effluents byelaws shall enable a local authority to make any charge for the reception into a sewer of any quantity of any trade effluent discharged from any particular trade premises, being a quantity which, by virtue of the last preceding section, could lawfully be discharged from those premises into the sewer without the consent of the local authority.

(3) No trade effluents byelaws shall be of any effect until confirmed by the Minister, and the provisions set out in the Schedule to this Act shall have effect in relation to the making and publication of such byelaws.

(4) If any trade effluents byelaw is contravened or not complied with in the case of any premises, the occupier of the premises shall be guilty of an offence.

(5) Where a local authority consider that the operation of any trade effluents byelaw made, or having effect as if made, by that authority would be unreasonable in relation to any particular case, they may, with the consent of the Minister, relax the requirements of the byelaw or dispense with compliance therewith :

Provided that the local authority shall give notice of any such proposed relaxation or dispensation to any interested bodies, to any persons whose names for the time being appear in the register to be kept by the local authority under paragraph 2 of the Schedule to this Act, and to such other persons, if any, as the Minister may direct, and the Minister shall not give his consent before the expiration of one month from the giving of the notice,

A.D. 1937.

and, before giving his consent, shall take into consideration any objection which may have been received by him.

(6) Any trade effluents byelaws shall cease to have effect on the expiration of ten years from the date on which they are made:

Provided that the Minister may by order extend the period during which any such byelaws are to remain in force.

Power of Minister to make byelaws in case of default, and to revoke unreasonable byelaws.

6.—(1) If a local authority, when required by the Minister to make trade effluents byelaws in relation to any of the matters with respect to which they are empowered to make such byelaws, do not within six months after such requisition make, in relation to that matter, byelaws satisfactory to him, the Minister may himself make byelaws in relation thereto.

(2) If the Minister is satisfied that the establishment or carrying on of any trade or industry at any premises within the district of a local authority is, or is likely to be, unreasonably impeded in consequence of any trade effluents byelaws made by that local authority, he may, for the purpose of removing the impediment, require the local authority to revoke those byelaws and to make such new byelaws as he considers necessary, and if the local authority do not within six months after such requisition comply therewith, the Minister may himself for that purpose revoke the byelaws and make such new byelaws as he considers necessary.

(3) Any byelaws made by the Minister under this section shall have effect as if they had been duly made by the local authority and confirmed by the Minister.

Agreements between local authorities and traders or other local authorities.

7.—(1) Subject to the provisions of this Act and of any trade effluents byelaws for the time being in force, a local authority may enter into and carry into effect an agreement with the owner or occupier of any trade premises within their district for the reception and disposal by the local authority of any trade effluent produced on those premises, and in particular, but without prejudice to the generality of the preceding provision, the agreement may provide for the construction by the local authority of such works as may be required for the said reception or disposal, and for the repayment by the owner or occupier, as the case may be, of the whole or

part of the expenses incurred by the local authority in carrying out their obligations under the agreement:

Provided that any agreement entered into under this subsection by a local authority shall not take effect unless and until the agreement has been approved by any interested body or the Minister has dispensed with the necessity for such approval.

(2) A local authority may enter into and carry into effect an agreement with the owner or occupier of any trade premises within their district, whereby the local authority, upon such terms as may be specified in the agreement, undertake to remove and dispose of substances produced in the course of treating any trade effluent on or in connection with those premises.

(3) A copy of every agreement entered into by a local authority in pursuance of this section, certified by the clerk of the local authority, shall be kept by the local authority at their offices so as to be available at all reasonable times for inspection and copying by any person, upon payment of a fee of sixpence for each inspection.

(4) Nothing in this Act or in any trade effluents byelaws shall affect any agreement with respect to any trade effluent duly made between a local authority and the owner or occupier of any trade premises before the commencement of this Act or the coming into operation of the byelaws, as the case may be.

(5) If, on the application of any party to an agreement made before the passing of this Act between sewerage authorities, whereby it is agreed that a sewer of one sewerage authority may communicate with a sewer, or discharge into any sewage disposal works, of another such authority, the Minister is satisfied that, owing to circumstances arising or likely to arise by reason of the operation of this Act, the agreement ought to be cancelled or varied, he may by order direct that, subject to such conditions (if any) as he may in default of agreement between the parties determine, the agreement shall cease to have effect, or that the agreement shall be varied in such manner as may be specified in the order.

(6) This section shall have effect as from the passing of this Act.

A.D. 1937.

Execution of works by local authorities for traders.

8.—(1) Where, for the purpose of compliance with any trade effluents byelaws, it is necessary for any works to be constructed by any person, the local authority may construct those works at the request of that person, and the amount of the expenses reasonably incurred by the local authority in so doing shall be a debt due to the local authority from the person at whose request the works were constructed.

(2) Where any sum is payable under the preceding subsection by any person to a local authority, the local authority may make an agreement with him for the payment of that sum, and interest thereon, to the local authority in such instalments, over such period, and on such terms (including a term as to the giving of security by the debtor), as may be specified in the agreement.

Production of plans, and furnishing of information to local authorities.

9.—(1) The owner or occupier of any land on or under which is situate any sewer, drain, pipe, channel or outlet used or intended to be used for discharging any trade effluent into a sewer of a local authority, shall, when requested in writing so to do by the local authority,—

(*a*) produce to the local authority all such plans of the sewer, drain, pipe, channel or outlet as the owner or occupier, as the case may be, possesses or is able without expense to obtain, and allow copies of the plans so produced by him to be made by, or under the directions of, the local authority, and

(*b*) furnish to the local authority all such information as the owner or occupier, as the case may be, can reasonably be expected to supply with respect to the sewer, drain, pipe, channel or outlet.

(2) The owner or occupier of any trade premises from which any trade effluent was, at any time during the period of one year ending on the third day of March, nineteen hundred and thirty-seven, discharged into a sewer of a local authority, shall, if requested by the local authority in writing so to do, furnish to the local authority such information specified in the request as he can reasonably be expected to supply with respect to the nature or composition, and the volume, of the trade effluent discharged as aforesaid from those premises during that period, and with respect to the rate at which it was so discharged.

(3) Every person who fails to comply with this section shall be guilty of an offence and shall, for each

such offence, be liable to a fine not exceeding five pounds and to a further fine not exceeding forty shillings for every day on which the offence continues after conviction therefor.

(4) This section shall have effect as from the passing of this Act.

Power to take samples of trade effluents.

10.—(1) Any officer of a local authority, on any occasion on which, for the purposes of this Act, he exercises in relation to any premises the powers conferred on him by section two hundred and eighty-seven of the principal Act (which authorises officers of local authorities to enter premises), may obtain and take away a sample of any trade effluent which is passing from those premises into a public sewer of the local authority.

(2) The result of any analysis of a sample taken by an officer by virtue of this section shall not be admissible as evidence in any legal proceedings under this Act, unless the following requirements have been complied with, that is to say, the officer shall, forthwith after taking the sample, notify to the occupier of the trade premises the officer's intention to have it analysed and shall there and then divide the sample into three parts, shall cause each part to be placed in a suitable container which shall be sealed up and marked, and shall—

(*a*) deliver one part to the occupier of the trade premises,

(*b*) retain one part for future comparison, and

(*c*) if he thinks fit to have an analysis made, submit one part to the analyst.

Penalties.

11. Every person who is guilty of an offence under this Act, not being an offence for which a penalty is specially provided by this Act, shall be liable to a fine not exceeding fifty pounds and to a further fine not exceeding twenty pounds for every day on which the offence continues after conviction therefor.

Adaptation of local Acts.

12.—(1) The Minister, upon application made to him by any sewerage authority or by the owner or occupier of trade premises within the district of that sewerage authority, may by order make such amendments or adaptations of any local Act relating to the sewerage authority as appear to him to be necessary for the purpose

A.D. 1937. of bringing the provisions of that Act into conformity with the provisions of this Act.

(2) The Minister may by order provide that, in relation to any such area as may be specified in the order, being an area in which a sewerage system or sewage disposal system is provided by a joint sewerage authority, the functions of a local authority under such provisions of this Act as may be so specified shall be discharged by that joint sewerage authority, either as well as, or instead of, by the local authority, according as the order may direct; and any such order may contain such incidental and supplementary provisions as may be necessary or expedient for the purposes of the order.

(3) The following provisions shall have effect in relation to any order under this section :—

(*a*) the Minister shall, as soon as may be after the making of the order, cause to be published in the London Gazette and in such other manner as he thinks best adapted for informing persons affected, a notice of the making of the order, specifying the place where copies of the order may be obtained and stating that the order will become final and come into operation unless, within such period not being less than thirty days as may be specified in the said notice, notice of objection to the order is given to the Minister by some person affected by the order;

(*b*) if no such notice of objection has been given within the period aforesaid, or if every objection of which notice has been so given has been withdrawn, the order shall come into operation at the end of the said period or on such date thereafter as may be specified in the order, but if such notice of objection has been so given and the objection has not been withdrawn, the order shall have no effect until confirmed by Parliament;

(*c*) where, by virtue of the preceding provisions of this subsection, the order can have no effect until confirmed by Parliament, the order shall be deemed to be a provisional order for the purposes of paragraphs (*c*), (*d*) and (*g*) of subsection (1) of section two hundred and eighty-five of the Local Government Act, 1933.

23 & 24 Geo. 5. c. 51.

A.D. 1937

(4) Any power under this section to make an order shall be construed as including a power, exerciseable in the like manner and subject to the like conditions, to vary or revoke the order.

(5) This section shall have effect as from the passing of this Act.

Saving of rights in respect of water.

13. Nothing in this Act shall affect any right with respect to water in a river, stream or watercourse, or authorise any infringement of such a right.

Interpretation.

14.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

" district " means, in relation to a local authority, the area over which that authority have jurisdiction;

" harbour " and " tidal water " have the meanings respectively assigned to those expressions by section seven hundred and forty-two of the Merchant Shipping Act, 1894; 57 & 58 Vict. c. 60.

" interested body " means—

(*a*) where the local authority's sewer into which the trade effluent is, or is to be, received discharges into any sewer or sewage disposal works of a joint sewerage authority or of another sewerage authority, that joint sewerage or other sewerage authority, or

(*b*) where the local authority's said sewer has an outfall into any harbour or tidal water, or is connected directly or indirectly with any sewer or sewage disposal works having such an outfall, the harbour authority or conservancy authority having jurisdiction in respect of that harbour or tidal water;

and for the purposes of this definition " harbour authority " and " conservancy authority " have the meanings respectively assigned to those expressions by section seven hundred and forty-two of the Merchant Shipping Act, 1894;

" joint sewerage authority " means any board, council, committee or other body authorised under or by virtue of any enactment to maintain

A.D. 1937.

sewers or sewage disposal works for the use of two or more local authorities;

"trade effluent" means any liquid, either with or without particles of matter in suspension therein, which is wholly or in part produced in the course of any trade or industry carried on at trade premises, and, in relation to any trade premises, means any such liquid as aforesaid which is so produced in the course of any trade or industry carried on at those premises, but does not include domestic sewage;

"trade premises" means any premises used or intended to be used for carrying on any trade or industry.

(2) This Act shall be construed as one with the principal Act, and, without prejudice to the generality of the preceding provision, section ninety of the principal Act (which relates to the interpretation of expressions used in Part II of that Act) shall apply for the purposes of this Act as that section applies for the purposes of Part II of the principal Act.

Short title, citation, extent and commencement.

15.—(1) This Act may be cited as the Public Health (Drainage of Trade Premises) Act, 1937; and the principal Act and this Act may be cited together as the Public Health Acts, 1936 and 1937.

(2) This Act shall not extend to Scotland, Northern Ireland or the administrative county of London, and shall not extend to any area which, immediately before the passing of this Act, drained directly or indirectly into any sewer or sewage disposal works vested in the London County Council or in the council of a metropolitan borough, so long as that area continues to drain as aforesaid into any sewer or sewage disposal works so vested.

(3) This Act shall, save as otherwise specially provided therein, come into operation on the first day of July, nineteen hundred and thirty-eight.

SCHEDULE.

PROVISIONS AS TO MAKING AND PUBLICATION OF TRADE EFFLUENTS BYELAWS.

Section 5.

1. The Minister shall not entertain any application for confirmation of any trade effluents byelaws made by a local authority, unless he is satisfied that the following requirements have been complied with, that is to say :—

(1) at least two months before making the byelaws the local authority shall publish, by advertisement at their offices, in the London Gazette, and in one or more newspapers circulating in the district of the local authority, a notice of their intention to make byelaws under this Act, stating—

(*a*) to what trade effluents the byelaws will relate,

(*b*) that, at such place as may be specified in the notice, copies of the draft byelaws may be inspected free of charge, and may be obtained on payment of such charge not exceeding one shilling per copy as may be so specified, and

(*c*) that the local authority are prepared to receive and consider any representation with respect to the byelaws which may be made to them in writing by or on behalf of owners or occupiers of trade premises within the district of the local authority at any time during such period after the date of the publication of the notice, not being less than two months, as may be specified in the notice;

(2) the local authority, before making the byelaws, shall take into consideration any representation which they have undertaken to consider under the terms of the notice given by them as aforesaid and shall consult any interested body;

(3) if the Minister has, for the purposes of this Act, designated to the local authority any specified body of persons as being representative of the interests of the owners or occupiers of trade premises in the district of the local authority, or of any class of such owners or occupiers, the local authority shall, before making the byelaws, consult that body.

2. Where the owner or occupier of any trade premises within the district of a local authority serves on the local authority a written request to be registered and states his name and postal address, it shall be the duty of the local authority to enter his

A.D. 1937.

name and address in a register to be kept by them for the purpose of this Act; and so long as his name appears in the register, the local authority shall cause to be sent to him a copy of any notice which they are required by this or any other Act to publish in connection with the making of trade effluents byelaws or the confirmation of such byelaws.

The local authority may remove from the said register the name of any person who has ceased to be the owner or occupier of trade premises within their district, or who has requested the local authority in writing to remove his name from the register.

3. As soon as may be after any trade effluents byelaws made by a local authority are confirmed by the Minister, the local authority shall publish, by advertisement at their offices and in one or more newspapers circulating in their district, a notice of the confirmation, specifying the date on which the byelaws will come into operation, and stating that copies of the byelaws may be inspected and obtained at the offices of the local authority in accordance with subsection (7) of section two hundred and fifty of the Local Government Act, 1933.

4. The preceding provisions of this Schedule shall, in relation to the making of trade effluents byelaws by the Minister in default of a local authority, and in relation to the publication of such byelaws made by him, have effect subject to the following modifications:—

(*a*) the duties of the local authorities under paragraph 1 of this Schedule shall, in connection with the making of the byelaws, be performed by the Minister;

(*b*) in paragraph 2 of this Schedule the reference to any notice which the local authority are required to publish shall be construed as including a reference to any notice which the Minister is required to publish; and

(*c*) the local authority shall have the same duty under paragraph 3 of this Schedule in relation to the byelaws as they have in relation to byelaws made by the local authority and confirmed by the Minister.

5. Nothing in this Schedule shall be taken to affect the operation of section two hundred and fifty of the Local Government Act, 1933.

Printed by EYRE AND SPOTTISWOODE LIMITED
FOR
SIR WILLIAM RICHARD CODLING, C.B., C.V.O., C.B.E., the King's Printer of Acts of Parliament

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
Adastral House, Kingsway, London, W.C. 2; 120 George Street, Edinburgh 2;
26 York Street, Manchester 1; 1 St. Andrew's Crescent, Cardiff;
80 Chichester Street, Belfast;
or through any bookseller

Price 4*d*. net