STATUTORY INSTRUMENTS

1968 No. 706 (S.67)

PUBLIC HEALTH, SCOTLAND

The Removal of Refuse (Scotland) Regulations 1968

Made - - -	*25th April* 1968
Laid before Parliament	*10th May* 1968
Coming into Operation	*15th May* 1968

In exercise of the powers conferred upon me by section 23(2) of the Civic Amenities Act 1967(a), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1. These regulations may be cited as the Removal of Refuse (Scotland) Regulations 1968 and shall come into operation on 15th May 1968.

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

3.—(1) For the purposes of section 23(2) of the Civic Amenities Act 1967 a local authority shall give notice to a person that they propose to remove a thing from land by serving on him a notice in the form set out in the Schedule hereto or in a form substantially to the like effect.

(2) Section 101 of the Town and Country Planning (Scotland) Act 1947(c) (which relates to service of notices) shall apply to a notice required to be served under the preceding paragraph of this regulation as it applies to a notice required to be served under that Act.

4. Within 15 days of the service of the notice under the preceding regulation, the person on whom the notice is served may object to the local authority's proposal by notice in writing delivered at or sent by post to the office of the authority addressed to that authority or to their clerk.

William Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
25th April 1968.

(a) 1967 c. 69. (b) 1889 c. 63. (c) 1947 c. 53.

SCHEDULE

Notice to be served by local authority on occupier of land

CIVIC AMENITIES ACT 1967

Section 23

Notice of Proposed removal of refuse

TO of

The Council (hereinafter referred to as the local authority) in pursuance of their powers under section 23 of the Civic Amenities Act 1967 HEREBY GIVE YOU NOTICE that they propose to remove from the land described in the first appendix hereto the things described in the second appendix hereto which appear to them to have been abandoned on the said land without lawful authority UNLESS within 15 days of the service of this notice you object by notice in writing delivered at or sent by post to the office of the local authority addressed to that authority or to their clerk.

Dated Signed

Clerk to the local authority.

FIRST APPENDIX
Description of the land

SECOND APPENDIX
Description of the things

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

Section 23 of the Civic Amenities Act 1967 empowers local authorities (county councils and town councils) to remove any thing in their area, other than a motor vehicle, which is abandoned without lawful authority on any land in the open air or on any other land forming part of a highway.

These regulations prescribe, for use in connection with the exercise of those powers, the form of notice by a local authority to the occupier of land of their proposal to remove the refuse, the time within which the occupier may object to the proposal, and the manner of service of such notices and objections.