



Mines And Quarries (Tips) Act 1969

1969 CHAPTER 10

PART II

PREVENTION OF PUBLIC DANGER FROM DISUSED TIPS

34 Miscellaneous provisions relating to local authorities, etc. in Scotland.

- (1) A local authority in Scotland may execute outside their area any works which under this Part of this Act they may execute within their area, subject to entering into an agreement with the local authority of the area in which the works are being carried out as to the terms and conditions on which any such works are to be executed.
- (2) A local authority in Scotland may by agreement with the owner of a disused tip themselves execute at his expense any works which they have under this Part of this Act required him to execute, and for that purpose they shall have all such rights as he would have.
- (3) In the application of this Part of this Act to Scotland, the provisions of the following enactments shall apply for any purpose of this Part of this Act as they apply for the purposes of the respective enactments, and as if any reference in these enactments to any local authority^{F1} and, in the case of section 37(3) of the Building (Scotland) Act 2003 (asp 8), the reference to “any such person”] were a reference to a local authority within the meaning of this Part of this Act, that is to say,—
 - (a) section ^{F2}37(3) and (4) of the Building (Scotland) Act 2003 (power] to require information as to ownership of premises);
 - (b) section 166 of the ^{M1}Public Health (Scotland) Act 1897 (protection of members and officers of local authorities from personal liability);
 - (c) section 16 of the ^{M2}Land Drainage (Scotland) Act 1958 (Crown rights).

Textual Amendments

- F1** Words in s. 34(3) inserted (1.5.2005) by [Building \(Scotland\) Act 2003 \(asp 8\)](#), s. 59(1), [Sch. 6 para. 3\(a\)](#) (with s. 53); S.S.I. 2004/404, art. 2(1)

Changes to legislation: *There are currently no known outstanding effects for the Mines And Quarries (Tips) Act 1969, Section 34. (See end of Document for details)*

F2 Words in s. 34(3)(a) substituted (1.5.2005) by Building (Scotland) Act 2003 (asp 8), s. 59(1), **Sch. 6 para. 3(b)** (with s. 53); S.S.I. 2004/404, art. 2(1)

Marginal Citations

M1 1897 c. 38.

M2 1958 c. 24.

Changes to legislation:

There are currently no known outstanding effects for the Mines And Quarries (Tips) Act 1969, Section 34.