



Sewerage (Scotland) Act 1968

1968 CHAPTER 47

PART III

MISCELLANEOUS AND GENERAL

51 Procedure on appeals to Secretary of State.

- (1) Any appeal to the Secretary of State under this Act shall be made, unless the parties to the appeal otherwise agree, within 28 days of the decision against which the appeal is made.
- (2) At the same time as an appellant makes any such appeal under this Act he shall serve a copy of the appeal on [^{F1}Scottish Water] .
- (3) Before disposing of any such appeal the Secretary of State may afford to the appellant and [^{F2}Scottish Water] an opportunity of appearing before and being heard by a person appointed in that behalf by the Secretary of State.
- (4) The decision of the Secretary of State on any such appeal shall be deemed to be the decision of [^{F1}Scottish Water] from whom the appeal is made.
- (5) The decision of the Secretary of State on any such appeal shall be final, but at any stage of the proceedings on the appeal he may, and if so directed by the Court of Session shall, state a case for the opinion of the Court on any question of law arising in those proceedings.
- (6) Pending a decision on any appeal to the Secretary of State under Part II of this Act a discharge of trade effluent being made may continue to be made in accordance with the conditions then applying.
- [^{F3}(7) The Secretary of State may by regulations make further provision as respects the procedure to be followed in any such appeal.
- (8) The power to make regulations under subsection (7) above shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Changes to legislation: Sewerage (Scotland) Act 1968, Section 51 is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** Words in s. 51(2)(4) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\)](#), s. 71, [Sch. 5 para. 3](#) (with s. 67); [S.S.I. 2002/118](#), [art. 2](#)
- F2** Words in s. 51(3) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\)](#), s. 71, [Sch. 5 para. 4](#) (with s. 67); [S.S.I. 2002/118](#), [art. 2](#)
- F3** S 51(7)(8) added (17.7.1995) by [1994 c. 39](#), s. 180(1), [Sch. 13 para. 75\(25\)\(b\)](#); [S.I. 1995/1898](#), [art. 2\(c\)\(d\)](#)

Changes to legislation:

Sewerage (Scotland) Act 1968, Section 51 is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3A(3) inserted by [2003 asp 3 s. 30\(1\)](#)
- s. 8(1A) inserted by [2003 asp 3 s. 30\(2\)\(a\)](#)
- s. 12(2A) inserted by [2003 asp 3 s. 30\(3\)](#)
- s. 14A-14C inserted by [2003 asp 3 s. 30\(4\)](#)
- s. 16A(3) inserted by [2003 asp 3 s. 30\(5\)](#)
- s. 29A(3)(b)(c) substituted for s. 29A(3)(b) by [2014 asp 3 sch. 3 para. 1\(2\)\(b\)](#)