



Local Government etc. (Scotland) Act 1994

1994 CHAPTER 39

PART II

WATER AND SEWERAGE REORGANISATION

Miscellaneous provisions as respects new authorities

117 Directions in the interests of national security

- (1) The Secretary of State may, after consultation with a new water and sewerage authority, give the authority such directions of a general character as appear to him requisite or expedient—
 - (a) in the interests of national security; or
 - (b) for the purpose of mitigating the effects of any civil emergency which may occur.
- (2) If it appears to the Secretary of State to be requisite or expedient to do so in the national interest or for the purpose of mitigating the effects of any civil emergency which has occurred or may occur, he may, after consultation with a new water and sewerage authority, give the authority a direction requiring that they do, or as the case may be do not do, a particular thing specified in the direction.
- (3) A new water and sewerage authority, notwithstanding any other duty imposed on them by, under or by virtue of this or any other Act, shall comply with any direction given to them under this section by the Secretary of State.
- (4) The Secretary of State shall lay before each House of Parliament a copy of a direction given under this section unless he is of the opinion that disclosure of the direction is against the interests of national security.
- (5) A person shall not disclose, or be required on any basis whatsoever to disclose, anything done by virtue of this section if the Secretary of State is of the opinion that

Status: This is the original version (as it was originally enacted).

disclosure of the thing would be against the interests of national security and has notified him of that opinion.

- (6) A person who, in contravention of subsection (5) above, discloses anything shall be guilty of an offence and liable, on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.
- (7) In subsections (1) and (2) above, “civil emergency” means a natural disaster or other emergency which in the opinion of the Secretary of State is, or may be, likely—
- (a) so to disrupt water supplies, the provision of sewerage or disposal of sewage in; or
 - (b) to involve such destruction of, or damage to, life or property in, any area as seriously and adversely to affect all the inhabitants of the area, or a substantial number of them, whether by depriving them of any of the essentials of life or otherwise.