



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART VIII

BUILDINGS, ETC.

96 Statues and monuments.

- (1) A [^{F1}local authority] may—
- (a) erect, maintain, or permit the erection or maintenance of, any statue or monument in any public place;
 - (b) demolish or remove to another site any statue or monument maintained by them;
 - (c) by notice in writing require the owner of any statue or monument not maintained by them which is in a public place owned by them, within such reasonable time as may be specified in the notice, to put it in good order and repair, or demolish it or remove it to another site:

Provided that the powers conferred by paragraphs (a) and (b) above shall not be exercised without the prior consent of—

- (i) the owner of the land on which the statue or monument is, or is proposed to be, situated; and
- (ii) [^{F2}where such land is a road, the roads authority.]

and the powers conferred by paragraphs (b) and (c) above shall be exercised only where the [^{F1}authority] consider it expedient to exercise them for reasons of public safety or the better use of the site on which the statue or monument has been erected.

- (2) Sections 99 to 109 of this Act shall apply in relation to a statue or monument in respect of which a notice is served under paragraph (c) of subsection (1) above with the following modifications—
- (a) any reference in these sections to the land or premises shall be construed as a reference to the statue or monument; and

Changes to legislation: Civic Government (Scotland) Act 1982, Section 96 is up to date with all changes known to be in force on or before 22 April 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](#)

- (b) any reference to a tenant or other occupier of land or premises shall be construed as a reference to the tenant or other occupier of the land or premises in or on which the statue or monument is situated.
- (3) This section is without prejudice to section 53 of the ^{M1}Town and Country Planning (Scotland) Act 1972 (control of works for demolition, alteration or extension of listed building) or section 2 of the ^{M2}Ancient Monuments and Archaeological Areas Act 1979 (control of works affecting scheduled monuments).

Textual Amendments

- F1** Words in s. 96(1) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 129(14)**; S.I. 1996/323, **art. 4(1)(c)**
- F2** S. 96(1)(ii) substituted by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(1), **Sch. 9 para. 87(5)**
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Marginal Citations

- M1** 1972 c. 52.
- M2** 1979 c. 46.

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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. 22(1)(c) repealed by [2015 asp 10 s. 65\(3\)](#)
- s. 49(9) added by [2010 asp 13 s. 200\(1\)\(b\)](#)