

---

*Changes to legislation: There are currently no known outstanding effects for the  
Regulatory Reform (Scotland) Act 2014, Paragraph 43. (See end of Document for details)*

---

## SCHEDULE 3 MINOR AND CONSEQUENTIAL MODIFICATIONS

### PART 6

#### MODIFICATIONS OF REFERENCES TO “ENACTMENT” ETC.

##### *Environment Act 1995*

- 43 (1) The Environment Act 1995 is amended as follows.
- (2) In section 27 (power of SEPA to obtain information about land), after subsection (3) add—
- “(4) In subsection (1) above, “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”.
- (3) In section 30 (records held by SEPA), after subsection (3) add—
- “(4) In subsection (3) above, “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”.
- (4) In section 37 (incidental general functions), after subsection (8) insert—
- “(8A) In subsection (8) above, “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”.
- (5) In section 38 (delegation of functions by Ministers etc. to new Agencies), in subsection (10) after the definition of “eligible function” insert—
- ““enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament;”.
- (6) In section 40 (ministerial directions to the new Agencies), after subsection (8) add—
- “(9) In this section, “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”.
- (7) In section 43 (incidental power of the new Agencies to impose charges)—
- (a) the existing text becomes subsection (1) of that section,
- (b) after that subsection add—
- “(2) In subsection (1) above, “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”.
- (8) In section 53 (inquiries and other hearings), after subsection (3) add—
- “(4) In subsections (1) and (3) above, “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”.
- (9) In section 87 (regulations for the purposes of Part 4), after subsection (9) add—
- “(10) In subsection (5)(c) above, “enactment” includes an enactment comprised in an Act of the Scottish Parliament.”.

---

*Changes to legislation: There are currently no known outstanding effects for the  
 Regulatory Reform (Scotland) Act 2014, Paragraph 43. (See end of Document for details)*

---

- (10) In section 108 (powers of enforcing authorities and persons authorised by them), in subsection (15)—
- (a) in the definition of “pollution control enactments” at the end add “ (including any enactments comprised in, or in instruments made under, an Act of the Scottish Parliament relating to those functions). ”,
  - (b) in the definition of “pollution control functions” in relation to the Scottish Ministers, after “instrument” insert “ (including any enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament) ”.
- (11) In section 113 (disclosure of information), in subsection (5), after the definition of “new Agency” insert—
- ““enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”.
- (12) In section 122 (directions), after subsection (5) insert—
- “(6) In this section, “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”.
- (13) In Schedule 6 (the Scottish Environment Protection Agency), in paragraph 15, after sub-paragraph (2) add—
- “(3) In sub-paragraph (1) above, “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”.
- (14) In Schedule 11 (air quality: supplemental provisions), in paragraph 5, after sub-paragraph (6) add—
- “(7) In the definition of “fixed penalty offence” in sub-paragraph (6) above, “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.”.

#### Commencement Information

**II**    [Sch. 3 para. 43](#) in force at 30.6.2014 by [S.S.I. 2014/160](#), art. 2(1)(2), [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Regulatory Reform (Scotland) Act 2014, Paragraph 43.