

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Water Environment (Controlled Activities) (Scotland) Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCOTTISH STATUTORY INSTRUMENTS

2005 No. 348

The Water Environment (Controlled Activities) (Scotland) Regulations 2005

PART IV

Modification and termination of authorisations

PROSPECTIVE

Request for variation

21.—(1) A responsible person or operator may apply to SEPA for a variation of an authorisation granted under regulation 8 or 9.

(2) The provisions of regulations 12, 13, 14 and 15(1) apply to an application under paragraph (1) as if it is an application.

(3) SEPA must either grant or refuse to grant (in whole or in part) an application under paragraph (1), and if it refuses to grant the application it must give its reasons for such refusal.

(4) Where SEPA grants an application under paragraph (1), it shall serve notice on the applicant specifying—

- (a) the variations being made to the authorisation; and
- (b) the date on which the variations are to take effect, which shall not (unless agreed by the applicant in writing) be less than 3 months from the date on which the notice was served.

(5) SEPA may issue a varied authorisation to the applicant incorporating the variations made under this regulation.

Commencement Information

11 Reg. 21 in force at 1.4.2006, see [reg. 1\(2\)](#)

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Changes and effects yet to be applied to :

- Instrument appl by [S.S.I. 2006/133 reg 3](#)
- Regulations revoked by [S.S.I. 2011/209 reg. 58\(1\)\(a\)](#)
- reg. 21 coming into force by [S.S.I. 2005/348 reg. 1\(2\)](#)

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

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

- Sch. 3 rule 16 words substituted by [S.S.I. 2009/420 reg. 4\(7\)](#)
- Sch. 8 para. 1(v)(w) inserted by [S.S.I. 2009/420 reg. 4\(9\)\(b\)](#)
- reg. 10(A1) inserted by [S.S.I. 2009/420 reg. 4\(4\)\(a\)](#)
- reg 15A added by [S.S.I. 2006/553 reg 2](#)