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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 209**

**The Water Environment (Controlled Activities) (Scotland) Regulations 2011**

**PART II**

Authorisations

**Power of SEPA to impose authorisation**

**10.**—(1) If it appears to SEPA that a person is carrying on (or is likely to carry on) a controlled activity—

- (a) which has not been authorised under regulations 7 or 8;
- (b) authorised under regulation 6, but that additional measures are necessary to protect the water environment;
- (c) authorised under regulation 7 but that it should be authorised under regulation 8;
- (d) authorised under regulation 8 but that it should be authorised under regulation 7,

SEPA may treat the activity as an activity in respect of which an application has been made, and may, as it thinks fit, grant an authorisation under regulation 7 or 8.

(2) If SEPA decides to treat an activity as an activity in respect of which an application has been made—

- (a) the charge referred to in regulation 11(1)(a) is payable, and
- (b) the remaining provisions of Part III apply as if such an application had been made.

(3) SEPA must give notice to the responsible person, if any, or to the operator that it is treating the activity in accordance with paragraph (1).

**Changes to legislation:**

There are currently no known outstanding effects for the The Water Environment (Controlled Activities) (Scotland) Regulations 2011, Section 10.