
STATUTORY INSTRUMENTS

1993 No. 1154 (S.171)

WATER SUPPLY, SCOTLAND

The Control of Pollution (Exemption of Certain Discharges from Control) (Scotland) Variation Order 1993

<i>Made</i>	- - - -	<i>31st March 1993</i>
<i>Laid before Parliament</i>		<i>28th April 1993</i>
<i>Coming into force</i>	- -	<i>19th May 1993</i>

The Secretary of State, in exercise of the powers conferred on him by sections 32(3)(b) and 104(1) (a) of the Control of Pollution Act 1974((1)) and of all other powers enabling him in that behalf hereby makes the following Order:

Citation, commencement and extent

1. This Order may be cited as the Control of Pollution (Exemption of Certain Discharges from Control) (Scotland) Variation Order 1993, shall come into force on 19th May 1993 and shall extend to Scotland only.

Variation of the Control of Pollution (Exemption of Certain Discharges from Control) Order 1983

2.—(1) The Control of Pollution (Exemption of Certain Discharges from Control) Order 1983((2)) shall be varied in accordance with the following paragraphs.

- (2) In article 2 (interpretation) the definition of “underground stream” shall be omitted.
- (3) In article 4—
 - (a) in paragraph 1 for the word “water” where it first appears there shall be substituted the words “river purification”; and
 - (b) in paragraphs (1) and (2)(a) for the words “water authority area” there shall be substituted the words “authority’s area”.
- (4) In the Schedule((3))—

(1) 1974 c. 40; section 32(3)(b) was substituted, and section 104(1) amended, by the Water Act 1989 (c. 15), Schedule 23, paragraphs 4 and 7 respectively.
(2) S.I.1983/1182, amended by S.I. 1986/1623 which is in turn amended by S.I. 1987/1782.
(3) Substituted by S.I. 1986/1623.

- (a) in column (1), paragraph 1 for the words “lake, loch or pond which does not discharge into a stream” there shall be substituted the words “waters of a loch or pond which are not inland waters”;
- (b) in column (1), paragraph 2 the words “any stream or” shall be omitted;
- (c) in column (2), paragraph 3(a) for the words “specified underground water” and “water” there shall be substituted respectively the words “ground waters” and “waters”; and
- (d) in column (2), paragraph 3(b) for the words “specified underground water” there shall be substituted the words “ground waters”.

Variation of the Control of Pollution (Exemption of Certain Discharges from Control) (Variation) Order 1986

3. The Control of Pollution (Exemption of Certain Discharges from Control) (Variation) Order 1986((4)) shall be varied as follows:–

- (a) in article 3 (transitional provisions) for the word “water” there shall be substituted the words “river purification”; and
- (b) in article 4 (transitional provisions) for the words “a water authority” there shall be substituted the words “an islands council”.

St Andrew’s House,
Edinburgh
31st March 1993

Hector Monro
Parliamentary Under Secretary of State, Scottish
Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which extends to Scotland only, varies the Control of Pollution (Exemption of Certain Discharges from Control) Order 1983 and the Control of Pollution (Exemption of Certain Discharges from Control) (Variation) Order 1986.

Section 32(1) of the Control of Pollution Act 1974 makes certain discharges of trade or sewage effluent unlawful if made without the consent of a river purification authority.

The 1983 Order, as varied, permits certain discharges authorised by earlier statutes to be continued without consent after section 32(1) came into force. This Order makes minor drafting changes to the 1983 Order and the 1986 Variation Order which are consequential to amendments made to Part II of the Control of Pollution Act 1974 by the Water Act 1989, Schedule 23.