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STATUTORY INSTRUMENTS

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**1997 No. 1584 (S. 122)**

**WATER SUPPLY, SCOTLAND**

**The Water (Prevention of Pollution)  
(Code of Practice) (Scotland) Order 1997**

<i>Made</i>	- - - -	<i>23rd June 1997</i>
<i>Laid before Parliament</i>		<i>25th June 1997</i>
<i>Coming into force</i>	- -	<i>25th July 1997</i>

The Secretary of State in exercise of the powers conferred on him by section 51(1) of the Control of Pollution Act 1974<sup>(1)</sup> and of all other powers enabling him in that behalf, after consultation in accordance with section 51(3) of the said Act with SEPA, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Water (Prevention of Pollution) (Code of Practice) (Scotland) Order 1997 and shall come into force on 25th July 1997.

**Code of Practice**

2. The Code of Good Practice for the Prevention of Environmental Pollution from Agricultural Activity of which a copy is to be deposited in each House of Parliament on 25th June 1997 and which is to be issued by the Secretary of State on 25th July 1997, in so far as it is issued for the purpose of—

- (a) giving practical guidance to persons engaged in agriculture with respect to activities that may affect controlled waters<sup>(2)</sup>; and
- (b) promoting what appears to him to be desirable practices by such persons for avoiding or minimising the pollution of any such waters,

(being all sections of the Code other than—

- (i) Chapter 10;
- (ii) Chapter 13, paragraphs 2 and 3 and 7 to 9 inclusive;
- (iii) Chapter 14;
- (iv) Chapter 16, paragraphs 1 to 3 inclusive and paragraph 5; and

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(1) 1974 c. 40; section 51 was substituted by the Water Act 1989 (c. 15), Schedule 23, paragraph 5 and amended by the Environment Act 1995 (c. 25), Schedule 22, paragraph 29(2).  
(2) See the definition of “controlled waters” in section 30A(1) of the Control of Pollution Act 1974, inserted by the Water Act 1989, Schedule 23, paragraph 4.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(v) Chapter 17)

is hereby approved.

**Revocation**

3. The Water (Prevention of Pollution) (Code of Practice) (Scotland) Order 1992(3) is revoked.

St Andrew's House,  
Edinburgh  
23rd June 1997

*Sewel*  
Parliamentary Under Secretary of State, Scottish  
Office

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order approves the Code of Good Practice for the Prevention of Environmental Pollution from Agricultural Activity which is to be issued by the Secretary of State for Scotland on 25th July 1997 in so far as it relates to pollution of water. This Code of Practice replaces the similar Code of Practice issued by the Secretary of State on 6th March 1992.

The Code *inter alia* gives practical guidance to persons engaged in agriculture with respect to activities that may cause water pollution and seeks to promote desirable practices by such persons in this field.

The Scottish Environment Protection Agency is required, by section 51(2) of the Control of Pollution Act 1974 to take into account whether there has been or is likely to be any contravention of an approved code of practice when considering when and how to exercise any powers which may be conferred on it by any Regulations under section 31A of that Act.

Copies of the Code are available for inspection at and may be obtained (without charge) from the Scottish Office Agriculture and Fisheries Department, Pentland House, 47 Robb's Loan, Edinburgh EH14 1TW.