



# Water Industry (Scotland) Act 2002

## 2002 asp 3

### PART 4

#### MISCELLANEOUS AND GENERAL

##### *General*

#### **67 Crown application**

- (1) This Act binds the Crown, but nothing in this section is to be taken as in any way affecting Her Majesty in her private capacity.
- (2) No contravention by the Crown of any provision made by or under this Act makes the Crown criminally liable; but the Court of Session may, on the application of any public authority or office-holder having responsibility for enforcing that provision, declare unlawful any act or omission of the Crown which constitutes such a contravention.
- (3) Despite subsection (2), any provision made by or under this Act applies to persons in the public service of the Crown as it applies to other persons.
- [<sup>F1</sup>(4) The powers conferred by section 47 are only exercisable—
  - (a) in relation to land forming part of the Crown Estate, with the consent of the Crown Estate Commissioners, and
  - (b) in relation to land to which section 90B(5) of the Scotland Act 1998 applies, with the consent of the person having the management of the land concerned.]

---

#### **Textual Amendments**

- F1** S. 67(4) substituted (1.4.2017) by [The Crown Estate Transfer Scheme 2017 \(S.I. 2017/524\)](#), art. 1(2), [Sch. 5 para. 31](#)

**Status:**

Point in time view as at 01/04/2017.

**Changes to legislation:**

There are currently no known outstanding effects for the Water Industry (Scotland) Act 2002, Section 67.