



Water Environment and Water Services (Scotland) Act 2003

2003 asp 3

PART 1

PROTECTION OF THE WATER ENVIRONMENT

CHAPTER 3

MEASURES FOR PROTECTION OF THE WATER ENVIRONMENT

21 Controlled activities regulations: procedure

- (1) Before making any regulations under section 20, the Scottish Ministers must consult—
 - (a) SEPA,
 - (b) every responsible authority,
 - (c) such persons appearing them to be representative of the interests of local government, industry, agriculture, fisheries and small businesses respectively as they think fit, and
 - (d) such other persons as they think fit.
- (2) Before making any regulations under that section specifying rules as mentioned in paragraph 3(2) of schedule 2 (general binding rules), the Scottish Ministers must, in addition to consulting as required by subsection (1)—
 - (a) publish a draft of the proposed rules, and publicise the opportunity to make representations about them under subsection (3), in such manner as they think fit, and
 - (b) make copies of the proposed rules available for public inspection for such period, which must be at least 28 days, as they may determine.
- (3) Any person who wishes to make representations about the proposed rules to the Scottish Ministers may do so within the period determined under subsection (2)(b).

Changes to legislation: *Water Environment and Water Services (Scotland) Act 2003, Section 21 is up to date with all changes known to be in force on or before 20 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

- (4) The Scottish Ministers must, in making the regulations specifying the rules, have regard to any representations on the proposed rules received by them within that period.

Commencement Information

II S. 21 in force at 15.12.2003 by [S.S.I. 2003/562](#), **art. 2(c)**

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 21 repealed by [2014 asp 3 sch. 3 para. 8\(4\)](#)

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

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

- s. 23(5) inserted by [2014 asp 3 sch. 3 para. 8\(6\)\(b\)](#)