



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

22 Remedial and restoration measures

- (1) The Scottish Ministers may by regulations make such provision for or in connection with remedial or restoration measures as they consider necessary or expedient for the purposes of facilitating the achievement of the environmental objectives set out in river basin management plans.
- (2) In this section “remedial or restoration measures” means the carrying out of any operations or works, or the taking of any other action, in relation to any land or body of water with a view to—
 - (a) remedying or mitigating the effects of any pollution (as defined in section 20(6)) of the water environment,
 - (b) improving or restoring the characteristics of any body of water.
- (3) Regulations under this section may, in particular, make provision—
 - (a) conferring on SEPA or any responsible authority power to undertake, or arrange for the undertaking of, remedial or restoration measures,
 - (b) for determining which other persons (if any) are the appropriate persons to bear responsibility for remedial or restoration measures and conferring on SEPA or any responsible authority power—
 - (i) to serve notices requiring such persons to undertake remedial or restoration measures, or
 - (ii) to undertake, or arrange for the undertaking of, such measures at the expense of such persons.

Changes to legislation: Water Environment and Water Services (Scotland) Act 2003, Section 22 is up to date with all changes known to be in force on or before 08 April 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](#)

[^{F1}(c) for any of the purposes specified in paragraphs 1 to 3 of schedule 2A.

(4) Paragraphs 4 and 5 of that schedule have effect for supplementing paragraphs 1 to 3.]

Textual Amendments

F1 S. 22(3)(c) (4) inserted (1.1.2015) by Reservoirs (Scotland) Act 2011 (asp 9) , **ss. 109(1)** , 116(1) (with s. 110); S.S.I. 2014/348 , art. 2 , Sch. ; S.S.I. 2014/348 , art. 2 , Sch.

Commencement Information

I1 S. 22 in force at 10.7.2008 by S.S.I. 2008/269 , **art. 2(a)**

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Changes and effects yet to be applied to :

- s. 22(2)(a) words repealed by [2014 asp 3 sch. 3 para. 8\(5\)\(a\)](#)
- s. 22(4) inserted by [2014 asp 3 sch. 3 para. 8\(5\)\(b\)](#)

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\(6\)\(b\)](#)