



# Water Environment and Water Services (Scotland) Act 2003

2003 asp 3

## PART 3

### GENERAL

#### **35 Crown application**

- (1) Part 1 and this Part bind the Crown.
- (2) The amendments and repeals made by Part 2 bind the Crown to the extent that the enactments amended or repealed bind the Crown.
- (3) Subsection (1) does not require subordinate legislation made under this Act to bind the Crown.
- (4) 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 body or office-holder having responsibility for enforcing that provision, declare unlawful any act or omission of the Crown which constitutes such a contravention.
- (5) Despite subsection (4), any provision made by or under this Act applies to persons in the public service of the Crown as it applies to other persons.

**Changes to legislation:**

Water Environment and Water Services (Scotland) Act 2003, Section 35 is up to date with all changes known to be in force on or before 18 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.

[View outstanding changes](#)

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