



Water Resources (Scotland) Act 2013

2013 asp 5

PART 7

WATER SHORTAGE ORDERS

Main provisions

38 Proposal for order

- (1) Scottish Water may propose to the Scottish Ministers that they make a water shortage order if it believes that there is—
 - (a) a serious deficiency of water supplies in an area, or
 - (b) a threat of a serious deficiency of water supplies in an area.
- (2) A proposal must include—
 - (a) a draft water shortage order,
 - (b) details of—
 - (i) the deficiency or threat as respects the water supplies,
 - (ii) the steps that Scottish Water has taken to abate the deficiency or threat,
 - (iii) the steps (other than steps in accordance with the draft order) that Scottish Water intends to take in order to abate the deficiency or threat,
 - (iv) how Scottish Water considers that the taking of those steps will abate the deficiency or threat,
 - (v) any prior communications about the proposal between Scottish Water and persons likely to be affected by the draft order,
 - (c) such other information as the Scottish Ministers may reasonably require.
- (3) A proposal must be accompanied by—
 - (a) a map or plan showing the location of—
 - (i) any source from which Scottish Water proposes to abstract water,
 - (ii) any place to which Scottish Water proposes to discharge water,
 - (iii) any works which Scottish Water proposes to carry out,

Changes to legislation: There are currently no known outstanding effects for the Water Resources (Scotland) Act 2013, Section 38. (See end of Document for details)

- (iv) any premises at which Scottish Water proposes to take any other steps in order to abate the deficiency or threat,
 - (b) a copy of any associated application made by Scottish Water under the Controlled Activities Regulations,
 - (c) such other documents as the Scottish Ministers may reasonably require.
- (4) The Scottish Ministers may instruct Scottish Water about the form in which a proposal is to be presented to them.

Commencement Information

II S. 38 in force at 10.6.2013 by [S.S.I. 2013/163](#), art. 3, [Sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Water Resources (Scotland) Act 2013, Section 38.