



# Water Resources (Scotland) Act 2013

## 2013 asp 5

### PART 7

#### WATER SHORTAGE ORDERS

##### *Definitions etc.*

#### **50      Controlled Activities Regulations**

- (1) Nothing in this Part affects any requirement for an authorisation under the Controlled Activities Regulations.
- (2) An authorisation under the Controlled Activities Regulations is subject to any restriction or prohibition as mentioned in section 40(2)(d), so far as relevant in relation to the activities to which the authorisation relates.
- (3) In this Part—
  - (a) “the Controlled Activities Regulations” means the Water Environment (Controlled Activities) (Scotland) Regulations 2011 ([S.S.I. 2011/209](#)),
  - (b) a reference to an authorisation under the Controlled Activities Regulations is to an authorisation as defined by regulation 2 of those Regulations,
  - (c) a reference to an application under the Controlled Activities Regulations is to an application in accordance with regulation 11 (including as applied by regulation 24) of those Regulations.
- (4) The Scottish Ministers may by regulations modify—
  - (a) subsections (1) to (3),
  - (b) section 38(3)(b),
  - (c) in schedule 1, paragraphs 2(5)(b)(iii), 3(2)(b)(iii) and 7(b)(ii).
- (5) Regulations may be made under subsection (4) only if the Scottish Ministers consider them to be necessary or expedient in consequence of any revocation or amendment of—
  - (a) the Controlled Activities Regulations, or
  - (b) any subsequent regulations made under section 20 of the 2003 Act.
- (6) Regulations under subsection (4) are subject to the negative procedure.