

## SCHEDULE 3 MINOR AND CONSEQUENTIAL MODIFICATIONS

### PART 3

#### PURPOSES OF SEPA

##### *Environment Act 1995*

- 14 (1) The Environment Act 1995 is amended as follows.
- (2) In section 31 (guidance on sustainable development and other aims and objectives), after subsection (2) insert—
- “(2A) The Scottish Ministers may give guidance to SEPA with respect to the carrying out of its duties under section 20A.”.
- (3) In the title to section 31, after “on” insert “SEPA’s general purpose and on”.
- (4) Section 32 (general environmental and recreational duties) is repealed.
- (5) In section 33 (general duties with respect to pollution)—
- (a) subsections (1), (4) and (5) are repealed,
  - (b) in subsection (2)—
    - (i) for “shall” substitute “may”,
    - (ii) in paragraph (a), the words “pollution control” are repealed,
    - (iii) in paragraph (b), the words “pollution of” are repealed,
    - (iv) for “such pollution” substitute “the general state of the environment”.
- (6) The title to section 33 becomes “**General duties as respects the state of the environment and effects of pollution**”.
- (7) Section 34 (general duties with respect to water) is repealed.
- (8) Section 36 (codes of practice with respect to environmental and recreational duties) is repealed.
- (9) In section 39 (general duty of the new Agencies to have regard to the costs and benefits in exercising powers)—
- (a) in subsection (1), for “Each new” substitute “The”,
  - (b) in subsection (2), for “a new” substitute “the”.
- (10) In the title to section 39, for the words “new Agencies” substitute “Agency”.
- (11) In section 81 (functions of the new Agencies), in subsection (2)—
- (a) the word “means” is repealed,
  - (b) at the beginning of paragraph (a) insert “means”,
  - (c) in paragraph (b), for the words from “the functions” to the end of the paragraph, substitute “has the same meaning as in section 108(15) below in relation to SEPA”.