



UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021

2021 asp 4

PART 2

ENVIRONMENT

CHAPTER 2

ENVIRONMENTAL GOVERNANCE

Information notices

24 Power to require information

- (1) Environmental Standards Scotland may, by issuing a notice in writing (an “information notice”), require a public authority to provide information which Environmental Standards Scotland reasonably requires for the purpose of exercising any of its functions.
- (2) An information notice must specify—
 - (a) the information, or the nature of the information, which is to be provided,
 - (b) the purposes for which, and the particular matters in connection with which, it is required,
 - (c) the form in which it is to be provided,
 - (d) the means by which it is to be provided, and
 - (e) the date on or by which, or the period within which, it must be provided.
- (3) Environmental Standards Scotland may withdraw an information notice by giving notice in writing to that effect to the public authority to whom the information notice was issued.
- (4) In this section, “information” includes—
 - (a) any document or a copy of, or extract from, any document,
 - (b) documents of any type or copies of, or extracts from, such documents,

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- (c) any explanation or other information (including unrecorded information).

25 Failure to comply with an information notice

- (1) Where a public authority fails, without reasonable excuse, to comply with an information notice issued to it under section 24(1), Environmental Standards Scotland may report the matter to the Court of Session.
- (2) After receiving a report under subsection (1), and hearing any evidence or representations on the matter, the Court may (either or both)—
 - (a) make such order for enforcement as it considers appropriate,
 - (b) deal with the matter as if it were a contempt of the Court.