

*These notes relate to the Reservoirs (Scotland) Act 2011
(asp 9) which received Royal Assent on 12 April 2011*

RESERVOIRS (SCOTLAND) ACT 2011

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 3 – General

Section 110 – Crown application

149. This section makes provision for the Act to apply to the Crown in Scotland.
150. Subsections (3) and (4) provide that the Crown in Scotland will not be criminally liable for any contravention of the Act's provisions but allows the Court of Session to declare any act of the Crown in contravention of the Act's provisions unlawful, upon application by SEPA or office holder responsible for enforcing the provision in question.
151. Subsection (5) provides that any provision made by or under this Act applies to persons in the service of the Crown as it applies to other persons.
152. Subsection (6) and (7) limit powers of entry to Crown land by requiring the consent of an appropriate authority to be obtained before the powers can be exercised. Subsection (7) defines "Crown land" and "appropriate authority" and subsection (9) provides for the Scottish Ministers to determine any questions about who the appropriate authority is in relation to any land.