
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 19

**ENVIRONMENTAL PROTECTION
WATER**

**The Water Environment (Remedial
Measures) (Scotland) Regulations 2016**

Made - - - - 13th January 2016
Laid before the Scottish
Parliament - - 15th January 2016
Coming into force 1st April 2016

**THE WATER ENVIRONMENT (REMEDIAL
MEASURES) (SCOTLAND) REGULATIONS 2016**

PART 1

etc.

1. Citation and commencement
2. Interpretation

PART 2

3. Remedial measures notice
4. Content of notice

PART 3

5. Prior consultation
6. Variation notice
7. Revocation notice

PART 4

8. Powers and duty to monitor, enforce etc.
9. Power to obtain information
10. Enforcement by the courts

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PART 5

11. Offences
12. Defences
13. Penalties
14. Offences by bodies corporate
15. Power of court to order offence to be remedied

PART 6

16. Appeals to the Scottish Ministers
17. Determination of appeals
18. Effect of notices etc. during consideration of appeal
19. Appeals – miscellaneous

PART 7

20. Application to the Crown
21. Consequential amendments
22. (1) Regulation 44 of the 2011 Regulations (offences) is amended...
Signature

SCHEDULE Procedures in connection with appeals to the Scottish Ministers

1. A person who wishes to appeal to the Scottish Ministers...
2. The documents specified in this paragraph are—
3. An appellant may withdraw an appeal by notifying the Scottish...
4. Subject to paragraph 5, notice of appeal in accordance with...
5. The Scottish Ministers may in a particular case allow notice...
6. Subject to paragraph 9, SEPA must, within 14 days of...
7. A notice given under paragraph 6 must—
8. SEPA must, within 14 days of giving a notice under...
9. In the event of an appeal being withdrawn, SEPA must...
10. Hearing procedure
11. A hearing held under paragraph 10 may, if the appointed...
12. If the Scottish Ministers cause a hearing to be held...
13. In the case of a hearing which is to be...
14. The Scottish Ministers may vary the date fixed for the...
15. The Scottish Ministers may also vary the time or place...
16. The persons entitled to be heard at any hearing are...
17. Nothing in paragraph 16 prevents the appointed person from permitting...
18. After the conclusion of a hearing, the appointed person must...
19. Procedure for written representations
20. The appellant must make any further written representations by way...
21. Any written representations made by the appellant or SEPA must...
22. When SEPA or the appellant submits any written representations to...
23. The Scottish Ministers must send to the appellant and SEPA...
24. The Scottish Ministers may in a particular case—
25. Determination and publication of appeal
26. The Scottish Ministers must at the same time send a...

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Explanatory Note