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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2006 No.**

**The Water Environment (Consequential and Savings Provisions) (Scotland) Order 2006**

**The Water (Scotland) Act 1980 – provision in relation to existing orders, etc.**

3.—(1) In the event that any provisions or conditions on matters relating to the protection of the water environment contained in any of the orders or enactments referred to in paragraph (2) differ and cannot reasonably be reconciled with the conditions contained in an authorisation granted under the Water Environment (Controlled Activities) (Scotland) Regulations 2005<sup>(1)</sup>, the relevant provisions and conditions of such orders or enactments shall be treated as modified to the extent necessary to be consistent with the conditions of that authorisation.

(2) The orders and enactments mentioned in paragraph (1) are—

- (a) all orders made under section 17 of the Water (Scotland) Act 1980<sup>(2)</sup>; and
- (b) all enactments which by virtue of paragraph 1 of Schedule 9 to that Act have effect as if done under that section.

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<sup>(1)</sup> S.S.I. 2005/348.

<sup>(2)</sup> 1980 c. 45 as relevantly amended by the Local Government etc. (Scotland) Act 1994 (c. 39), Schedule 13, paragraph 119 and Schedule 14, the Water Industry (Scotland) Act 2002 (asp 3), Schedule 6, paragraph 14, S.I.1994/3308 and 1996/323.