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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2011 No.**

**The Water Environment (Controlled Activities) (Scotland) Regulations 2011**

**PART VIII**

**Appeals**

**Appeals to the Scottish Ministers**

- 50.** The following persons may appeal to the Scottish Ministers against the decision of SEPA—
- (a) a person who has been refused the grant of an authorisation in accordance with regulation 15(3) or is deemed to have been refused the grant of an authorisation in accordance with regulation 17(3);
  - (b) a person who has been granted a form of authorisation under regulation 15 which is different from the form of authorisation which that person believes ought to have been granted;
  - (c) a person who is aggrieved by the terms and conditions attached to that person's authorisation in accordance with regulation 7 or 8;
  - (d) a person who has been served with a variation notice under regulation 23(3) or is aggrieved by the conditions attached to that variation notice;
  - (e) a person who has been refused the variation (in whole or in part) of an authorisation on request under regulation 24;
  - (f) a person who has been granted the variation of an authorisation on request under regulation 24 but is aggrieved by the removal, addition or amendment of any condition pursuant to that variation;
  - (g) a person whose application under regulation 25 for SEPA to effect the transfer of an authorisation has been refused; or who is aggrieved by the conditions attached to that person's authorisation to take account of such a transfer;
  - (h) a person whose application to surrender an authorisation under regulation 27(3) has been refused or who is aggrieved by the conditions attached to that authorisation in order to take account of the surrender;
  - (i) a person whose authorisation has been suspended or revoked (in whole or in part) under regulation 29;
  - (j) a person on whom a notice has been served under regulation 32(2), or who is aggrieved by the terms of that notice; and
  - (k) if SEPA has determined that information is not commercially confidential under Part VI, the person to whom, or whose business, that information relates.