
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2014 No.

The Public Water Supplies (Scotland) Regulations 2014

PART 12

SCOTTISH WATER: INCIDENTAL POWERS

Entry warrants

- 41.**—(1) Scottish Water may apply to the sheriff for a warrant authorising it to—
- (a) enter particular premises for the purposes mentioned in regulation 40(1); and
 - (b) take any steps at the premises which are reasonably required for those purposes.
- (2) The sheriff may grant the warrant sought if satisfied—
- (a) that there are reasonable grounds for entering the premises for those purposes; and
 - (b) that—
 - (i) the first and second conditions are met; or
 - (ii) the third condition is met.
- (3) The first condition is that—
- (a) admission to the premises has been refused;
 - (b) the taking of steps at the premises has been obstructed; or
 - (c) such refusal or obstruction may reasonably be expected.
- (4) The second condition is that notice of the intention to seek a warrant has been given to the occupier of the premises.
- (5) The third condition is that the premises are unoccupied.
- (6) A warrant under paragraph (1)—
- (a) remains valid until the purposes mentioned in regulation 40(1) are fulfilled; and
 - (b) allows the use of reasonable force (if required).
- (7) Paragraph (1) has effect whether the water or thing is located at the premises or elsewhere.