
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2016 No.

ENFORCEMENT

ENVIRONMENTAL PROTECTION

FLOOD RISK MANAGEMENT

WATER SUPPLY

The Reservoirs (Enforcement etc.) (Scotland) Order 2016

Made - - - - 2016
Coming into force 1st April 2016

**THE RESERVOIRS (ENFORCEMENT
ETC.) (SCOTLAND) ORDER 2016**

PART 1

1. Citation and commencement
2. Interpretation

PART 2

3. Stop notices
4. Further enforcement measures
5. Recovery of expenses
6. Monetary penalties and undertakings

PART 3

7. Enforcement notices: reviews and appeals
8. Appeals: further provision

PART 4

9. Notices: supplementary provision
10. Guidance about the use of powers
11. Recovery of payments
12. Payment of penalties

Signature

SCHEDULE 1 — STOP NOTICES

1. Stop notices
2. Information to be included
3. Appeals
4. Completion certificates
5. Compensation
6. Offence and penalties
7. Defence

SCHEDULE 2 — FURTHER ENFORCEMENT MEASURES

1. Power to impose further enforcement measures
2. Notice of intent
3. Representations and objections
4. Undertakings
5. Decision to impose a further enforcement measure
6. Final notice
7. Appeals
8. Criminal proceedings and conviction
9. Non-compliance penalties
10. Appeals against non-compliance penalties
11. Payment requirements for non-compliance penalties

SCHEDULE 3 — EXPENSES RECOVERY NOTICES

1. Expenses recovery notices
2. Appeals against expenses recovery notices
3. Payment requirements for expenses recovery notices

SCHEDULE 4 — MONETARY PENALTIES AND UNDERTAKINGS

Amendment of the 2015 Order

SCHEDULE 5 — ENFORCEMENT NOTICES: REVIEWS AND APPEALS

1. Reviews of decisions to give notice under section 69(2) of the Act
2. Appeals against decisions to give notice under section 69(2) of the Act

SCHEDULE 6 — APPEALS: FURTHER PROVISION

1. Notice of appeal
2. Representations by SEPA
3. Representations by the appellant
4. Appointment of reporter
5. Appointment of advisor
6. Determination of appeal without further representation or information
7. Further representations or information
8. Hearings
9. Determination of appeal

Explanatory Note