

SCHEDULE 8

Regulation 33

Register

1. The register maintained by SEPA under regulation 33 shall contain all particulars of:
 - (a) any application made to SEPA for an authorisation;
 - (b) any notice to the applicant by SEPA under regulation 20 or 26;
 - (c) any advertisement published pursuant to regulation 13 and any representations made by any person in response to such an advertisement, other than representations which the person who made them requested should not be placed in the register;
 - (d) in a case where any such representations are omitted from the register at the request of the person who made them, a statement by SEPA that representations have been made which have been the subject of such a request (but such statement shall not identify the person who made the representations in question);
 - (e) any authorisation granted, or deemed to be granted, under these Regulations;
 - (f) any authorisation imposed by SEPA;
 - (g) any application made to SEPA for the variation, transfer or surrender of an authorisation;
 - (h) any variation, transfer and surrender of any authorisation granted by SEPA;
 - (i) any suspension or revocation of an authorisation granted by SEPA;
 - (j) any notice issued by SEPA withdrawing or modifying a variation notice, a notice of surrender or a notice of suspension or revocation .
 - (k) any enforcement notice, issued by SEPA;
 - (l) any notice issued by SEPA withdrawing or modifying any enforcement notice;
 - (m) any notice of appeal against a decision by SEPA or a notice served by it and of the documents relating to the appeal mentioned in paragraph 2(a), (d) and (e) of Schedule 9;
 - (n) any representations made by any person in response to a notice given under paragraph 6 of Schedule 9, except where the person making the representation has requested that the representation be omitted from the register;
 - (o) where paragraph (n) applies a statement that representations have been made which have been the subject of such a request (but such statement shall not identify the person who made the representations);
 - (p) any written notification of the determination by the Scottish Ministers of an appeal and any report accompanying any written notification;
 - (q) any monitoring information relating to the carrying on, or the causing or permitting of the carrying on, of a controlled activity under an authorisation granted by SEPA which has been obtained by it as a result of its own monitoring or furnished to it in writing by virtue of a condition of the authorisation or under regulation 32(2);
 - (r) in a case where any monitoring information is omitted from the register by virtue of regulation 34, a statement by SEPA, based on the monitoring information from time to time obtained by or furnished to it, indicating whether or not there has been compliance with any relevant condition of the authorisation;

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Water Environment (Controlled Activities) (Scotland) Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (s) any other information furnished in compliance with a condition of the authorisation, a variation notice, enforcement notice, suspension notice or works notice, or by virtue of regulation 32(2);
- (t) any direction given to SEPA under any provision of these Regulations; and
- (u) convictions for offences under these Regulations.

Commencement Information

I1 Sch. 8 para. 1 in force at 1.4.2006, see [reg. 1\(2\)](#)

2. Where an application is withdrawn by the applicant at any time before it is determined, all particulars relating to that application which are already in the register shall be removed from the register not less than two months and not more than three months after the date of withdrawal of the application, and no further particulars relating to that application shall be entered in the register.

Commencement Information

I2 Sch. 8 para. 2 in force at 1.4.2006, see [reg. 1\(2\)](#)

3. Nothing in paragraph 1 shall require SEPA to keep in the register maintained by it—
- (a) monitoring information relating to a particular controlled activity 6 years after that information was entered in the register; or
 - (b) information relating to a controlled activity which has been superseded by new information relating to that controlled activity 6 years after that new information was entered in the register.

Commencement Information

I3 Sch. 8 para. 3 in force at 1.4.2006, see [reg. 1\(2\)](#)

4. Paragraph 3(a) shall not apply to any aggregated monitoring data relating to specific impacts or classes of impacts on the water environment from controlled activities generally or from any class of controlled activities.

Commencement Information

I4 Sch. 8 para. 4 in force at 1.4.2006, see [reg. 1\(2\)](#)

Status:

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Changes to legislation:

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Changes and effects yet to be applied to :

- Instrument appl by [S.S.I. 2006/133 reg 3](#)
- schs 8 - 9 am by [S.S.I. 2006/553 reg 2](#)
- Sch. 8 para. 1 coming into force by [S.S.I. 2005/348 reg. 1\(2\)](#)
- Sch. 8 para. 2 coming into force by [S.S.I. 2005/348 reg. 1\(2\)](#)
- Sch. 8 para. 3 coming into force by [S.S.I. 2005/348 reg. 1\(2\)](#)
- Sch. 8 para. 4 coming into force by [S.S.I. 2005/348 reg. 1\(2\)](#)
- Sch. 8 para. 1(t) word omitted by [S.S.I. 2009/420 reg. 4\(9\)\(a\)](#)
- Regulations revoked by [S.S.I. 2011/209 reg. 58\(1\)\(a\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 rule 16 words substituted by [S.S.I. 2009/420 reg. 4\(7\)](#)
- Sch. 8 para. 1(v)(w) inserted by [S.S.I. 2009/420 reg. 4\(9\)\(b\)](#)
- reg. 10(A1) inserted by [S.S.I. 2009/420 reg. 4\(4\)\(a\)](#)
- reg 15A added by [S.S.I. 2006/553 reg 2](#)