

**2008 No. 269 (C. 22)**

**ENVIRONMENTAL PROTECTION**

**WATER**

**The Water Environment and Water Services (Scotland) Act 2003  
(Commencement No. 8) Order 2008**

*Made* - - - -

*30th June 2008*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 38(1) of the Water Environment and Water Services (Scotland) Act 2003(a).

**Citation**

1. This Order may be cited as the Water Environment and Water Services (Scotland) Act 2003 (Commencement No. 8) Order 2008.

**Appointed day**

2. 10th July 2008 is the appointed day on which the following provisions of the Water Environment and Water Services (Scotland) Act 2003 come into force—

- (a) section 22;
- (b) section 31;
- (c) section 34 but only in so far as it relates to the provisions of schedule 4 referred to in paragraphs (d) and (e);
- (d) paragraph 1 of schedule 4;
- (e) paragraph 2 of schedule 4, but only for the purpose of inserting section 23(2B) into the Water (Scotland) Act 1980(b).

*STEWART STEVENSON*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
30th June 2008

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(a) 2003 asp 3.  
(b) 1980 c.45.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force further provisions of the Water Environment and Water Services (Scotland) Act 2003 (“the Act”). The provisions come into force on 10th July 2008 and provide as follows:–

- Section 22 enables the Scottish Ministers to make regulations providing for remedial or restoration measures in relation to land or bodies of water where Ministers consider that such regulations would facilitate the achievement of the environmental objectives set out in river basin management plans.
- Section 31 inserts new sections 23A, 23B and 23C into the Water (Scotland) Act 1980 (“the 1980 Act”). These make provision for the laying of mains and communication pipes by persons other than Scottish Water.
- Section 34 introduces schedule 4, which makes modifications to Part III of the 1980 Act.
- Paragraph 1 of schedule 4 amends section 22 of the 1980 Act in consequence of the introduction of new section 23A.
- Paragraph 2 of schedule 4 (in so far as it is brought into force by this Order) inserts new subsection (2B) into section 23 of the 1980 Act in consequence of the introduction of new section 23A.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Act have been brought into force by commencement orders made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Sections 1 to 7, 18, 20, 21 and 26 to 28	15th December 2003	2003/562
Sections 8 to 11, 15 and 17	1st June 2005	2005/235
Section 25 and schedules 1 and 2	20th May 2005	2005/256
Sections 29, 32 and 33(1) (partially)	6th March 2006	2006/55
Section 24(1) to (4)	31st March 2007	2007/50
Section 33(1) (to the extent not already in force) and (2) and schedule 3	30th November 2007	2007/512
Sections 12 to 14, 16 and 19	14th December 2007	2007/530

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