



Sewerage (Scotland) Act 1968

1968 CHAPTER 47

[^{F1}PART IIA

PRIVATE SEWAGE TREATMENT WORKS

[^{F1}38H Controlled Activities Regulations

- (1) In this Part—
 - (a) “the Controlled Activities Regulations” means the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (S.S.I. 2011/209),
 - (b) a reference to an authorisation under the Controlled Activities Regulations is to an authorisation as defined by regulation 2 of those Regulations,
 - (c) a reference to any conditions under the Controlled Activities Regulations is to any conditions of an authorisation under those Regulations.
- (2) The Scottish Ministers may by regulations modify—
 - (a) subsection (1),
 - (b) sections 38A(1) and 38C(2).
- (3) Regulations may be made under subsection (2) only if the Scottish Ministers consider them to be necessary or expedient in consequence of any revocation or amendment of—
 - (a) the Controlled Activities Regulations, or
 - (b) any subsequent regulations made under section 20 of the Water Environment and Water Services (Scotland) Act 2003.
- (4) Regulations under subsection (2) are subject to the negative procedure.]

Textual Amendments

- F1** Pt. 2A inserted (10.6.2013 for specified purposes, 21.12.2013 in so far as not already in force) by [Water Resources \(Scotland\) Act 2013 \(asp 5\)](#), ss. 37, 56(1)(2); S.S.I. 2013/163, art. 3, Sch.; S.S.I. 2013/342, art. 2(c)

Changes to legislation:

Sewerage (Scotland) Act 1968, Section 38H is up to date with all changes known to be in force on or before 11 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 38H(3)(b) substituted by [2014 asp 3 sch. 3 para. 1\(3\)](#)

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

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

- s. 3A(3) inserted by [2003 asp 3 s. 30\(1\)](#)
- s. 8(1A) inserted by [2003 asp 3 s. 30\(2\)\(a\)](#)
- s. 12(2A) inserted by [2003 asp 3 s. 30\(3\)](#)
- s. 14A-14C inserted by [2003 asp 3 s. 30\(4\)](#)
- s. 16A(3) inserted by [2003 asp 3 s. 30\(5\)](#)
- s. 29A(3)(b)(c) substituted for s. 29A(3)(b) by [2014 asp 3 sch. 3 para. 1\(2\)\(b\)](#)