



Environment Act 1995

1995 CHAPTER 25

PART I

THE ENVIRONMENT AGENCY AND THE SCOTTISH ENVIRONMENT PROTECTION AGENCY

CHAPTER II

THE SCOTTISH ENVIRONMENT PROTECTION AGENCY

General powers and duties

36 Codes of practice with respect to environmental and recreational duties.

- (1) The Secretary of State shall have power by order to approve any code of practice issued (whether by him or by another person) for the purpose of—
 - (a) giving practical guidance to SEPA with respect to any of the matters for the purposes of which sections 32, 34(2) and 35 above have effect; and
 - (b) promoting what appear to him to be desirable practices by SEPA with respect to those matters,and may at any time by such an order approve a modification of such a code or withdraw his approval of such a code or modification.
- (2) In discharging its duties under section 32, 34(2) or 35 above, SEPA shall have regard to any code of practice, and any modifications of a code of practice, for the time being approved under this section.
- (3) The Secretary of State shall not make an order under this section unless he has first consulted—
 - (a) SEPA;
 - (b) Scottish Natural Heritage;
 - (c) Scottish Enterprise;
 - (d) Highlands and Islands Enterprise;

Status: Point in time view as at 12/10/1995. This version of this provision has been superseded.

Changes to legislation: Environment Act 1995, Section 36 is up to date with all changes known to be in force on or before 29 May 2024. 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. (See end of Document for details)

- (e) the East of Scotland Water Authority;
 - (f) the West of Scotland Water Authority;
 - (g) the North of Scotland Water Authority; and
 - (h) such other persons as he considers it appropriate to consult.
- (4) The power of the Secretary of State to make an order under this section shall be exercisable by statutory instrument; and any statutory instrument containing such an order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Status:

Point in time view as at 12/10/1995. This version of this provision has been superseded.

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