



Water Resources (Scotland) Act 2013

2013 asp 5

WATER RESOURCES (SCOTLAND) ACT 2013

PART 1

DEVELOPMENT OF WATER RESOURCES

- 1 Duty of the Scottish Ministers
- 2 Involvement of public bodies
- 3 Designation of bodies
- 4 Reports on steps taken

PART 2

CONTROL OF WATER ABSTRACTION

Introduction

- 5 Qualifying abstraction
- 6 Prohibition arising
- 7 Exemption from approval
- 8 The relevant threshold
- 9 Consultation on changes

Role of Ministers

- 10 Application for approval
- 11 Factors as to approval
- 12 Conditions of approval
- 13 Additional requirements
- 14 Advice from other bodies
- 15 Suspension and revocation

Appeal, monitoring and offence

- 16 Appeal against decision
- 17 Monitoring and records
- 18 Abstraction-related offence

Changes to legislation: Water Resources (Scotland) Act 2013 is up to date with all changes known to be in force on or before 10 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) View outstanding changes

19 Corporate offending

Regulations etc.

- 20 Procedure for regulations
- 21 Controlled Activities Regulations
- 22 Other definitions for Part

PART 3

SCOTTISH WATER'S FUNCTIONS

Exercise of functions

- 23 Value of water resources
- 24 Development of assets
- 25 Supporting renewable energy
- 26 Meaning of core functions

Financing and borrowing

- 27 Subsidiaries of Scottish Water
- 28 Water and sewerage undertaking

Other matters

- 29 Errors in metering

PART 4

RAW WATER QUALITY

- 30 Steps for sake of quality
- 31 Agreements about activities

PART 5

NON-DOMESTIC SERVICES

- 32 Deemed contracts
- 33 Notification of occupancy

PART 6

SEWERAGE NETWORK

Discharge into public sewer

- 34 Priority substances etc.
- 35 Substances generally
- 36 Powers of entry

Private sewage works

- 37 Common maintenance

PART 7

WATER SHORTAGE ORDERS

Changes to legislation: Water Resources (Scotland) Act 2013 is up to date with all changes known to be in force on or before 10 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) View outstanding changes

Main provisions

- 38 Proposal for order
- 39 Making of order
- 40 Content of order
- 41 Abstraction and discharge
- 42 Scheduled provision

Appeal and offence

- 43 Appeal against order
- 44 Non-compliance offence
- 45 Corporate offending

Recommendations and directions

- 46 Recommendations issuable
- 47 Directions on functions

Definitions etc.

- 48 Water saving measures
- 49 Serious deficiencies
- 50 Controlled Activities Regulations
- 51 Other expressions in Part

PART 8

GENERAL PROVISIONS

Miscellaneous

- 52 Crown application
- 53 Repeal of enactments
- 54 Ancillary power
- 55 Key definitions

Commencement and short title

- 56 Commencement
- 57 Short title

SCHEDULE 1 — Water shortage orders

Notice of proposal

- 1 (1) Scottish Water must publish notice of a proposal—

Notifying owners etc.

- 2 (1) Sub-paragraph (2) applies where— (a) a draft order would...

Additional notice

- 3 (1) Sub-paragraph (2) applies where— (a) the Scottish Ministers intend...

Changes to legislation: Water Resources (Scotland) Act 2013 is up to date with all changes known to be in force on or before 10 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) View outstanding changes

SEPA's advice

- 4 (1) The Scottish Ministers must seek SEPA's advice in relation...

Representations and decision

- 5 (1) The Scottish Ministers must not decide whether to make...

Publication of order

- 6 (1) Where the Scottish Ministers make a water shortage order,...

Notice regarding abstraction

- 7 Where the Scottish Ministers make a water shortage order that...

Effect of order

- 8 (1) An ordinary water shortage order— (a) has effect from...

Notice of extension

- 9 (1) This paragraph applies where the Scottish Ministers extend the...

Appeal against extension

- 10 (1) A person who is aggrieved by the extension of...

Review and revocation of order

- 11 (1) The Scottish Ministers may review a water shortage order...

Power to enter

- 12 (1) Scottish Water may— (a) enter any premises for the...

Entry warrants

- 13 (1) Scottish Water may apply to the sheriff for a...

Approved persons

- 14 (1) Sub-paragraph (2) applies to the authority conferred on Scottish...

Taking steps

- 15 (1) Sub-paragraphs (2) to (6) apply in relation to the...

Obstruction offence

- 16 (1) A person commits an offence if the person intentionally...

Compensation

- 17 (1) Scottish Water must compensate any person who has sustained...

References to publication etc.

- 18 (1) A relevant requirement is to be fulfilled without undue...

- 19 (1) A reference in this Part to the day on...

Changes to legislation: Water Resources (Scotland) Act 2013 is up to date with all changes known to be in force on or before 10 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) [View outstanding changes](#)

SCHEDULE 2 — Water saving measures

The following are water saving measures— (a) refraining from using...

SCHEDULE 3 — Crown land

- 1 A power of entry conferred by or under Part 2...
- 2 (1) In paragraph 1, “Crown land” means land an interest...
- 3 (1) In paragraph 2— (a) “Government Department” means department of...

SCHEDULE 4 — Repeal of enactments

- 1 (1) Section 69 of the 1980 Act is repealed.
- 2 Section 26 of the 2003 Act is repealed.

Changes to legislation:

Water Resources (Scotland) Act 2013 is up to date with all changes known to be in force on or before 10 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 5(2) words substituted by [2014 asp 3 sch. 3 para. 10\(2\)](#)
- s. 21(5)(b) substituted by [2014 asp 3 sch. 3 para. 10\(3\)](#)
- s. 50(5)(b) substituted by [2014 asp 3 sch. 3 para. 10\(4\)](#)