



Water Resources (Scotland) Act 2013

2013 asp 5

PART 7

WATER SHORTAGE ORDERS

Definitions etc.

48 Water saving measures

In this Part, “water saving measures” means measures listed in schedule 2.

49 Serious deficiencies

The references in this Part to a serious deficiency of water supplies (whether actual or threatened) are to an insufficiency of water supplies available to Scottish Water to enable it to carry out its functions under Part II of the 1980 Act.

50 Controlled Activities Regulations

- (1) Nothing in this Part affects any requirement for an authorisation under the Controlled Activities Regulations.
- (2) An authorisation under the Controlled Activities Regulations is subject to any restriction or prohibition as mentioned in section 40(2)(d), so far as relevant in relation to the activities to which the authorisation relates.
- (3) 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 an application under the Controlled Activities Regulations is to an application in accordance with regulation 11 (including as applied by regulation 24) of those Regulations.
- (4) The Scottish Ministers may by regulations modify—

- (a) subsections (1) to (3),
 - (b) section 38(3)(b),
 - (c) in schedule 1, paragraphs 2(5)(b)(iii), 3(2)(b)(iii) and 7(b)(ii).
- (5) Regulations may be made under subsection (4) 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 2003 Act.
- (6) Regulations under subsection (4) are subject to the negative procedure.

51 Other expressions in Part

In this Part—

“emergency water shortage order” means one under section 39(2),

“ordinary water shortage order” means one under section 39(1),

“premises” includes any land, building or other place,

“proposal” means proposal under section 38(1) (relating to a water shortage order),

“water shortage order” means emergency water shortage order or ordinary water shortage order.