



Water Resources (Scotland) Act 2013

2013 asp 5

PART 2

CONTROL OF WATER ABSTRACTION

Appeal, monitoring and offence

16 Appeal against decision

- (1) For the purpose of subsections (2) to (4), a relevant decision is one—
 - (a) following an application under section 10(1), not to approve a qualifying abstraction,
 - (b) to specify a period under section 12(1)(a),
 - (c) to attach any conditions under section 12(1)(b), or
 - (d) to impose a suspension or revocation under section 15(1)(b) or (c).
- (2) The applicant or (as the case may be) holder may appeal to the sheriff against a relevant decision, if aggrieved—
 - (a) in the case to which subsection (1)(a) or (d) relates, by the making of the relevant decision,
 - (b) in the case to which subsection (1)(b) relates, by the shortness of the period so specified,
 - (c) in the case to which subsection (1)(c) relates, by the nature or terms of the conditions so attached.
- (3) An appeal under subsection (2) must be made—
 - (a) by way of summary application,
 - (b) within the period of 21 days beginning with the day on which the relevant decision is duly intimated.
- (4) In the appeal, the sheriff may uphold, vary or quash the relevant decision.