



# UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021

2021 asp 4

## PART 2

### ENVIRONMENT

#### CHAPTER 2

##### ENVIRONMENTAL GOVERNANCE

###### *Compliance notices*

### **31 Compliance notice**

- (1) Environmental Standards Scotland may issue a compliance notice to a public authority if Environmental Standards Scotland considers that—
  - (a) in exercising its regulatory functions, the public authority—
    - (i) is failing to comply with environmental law, or
    - (ii) has failed to comply with environmental law in circumstances that make it likely that the failure will continue or be repeated, and
  - (b) its failure to comply with environmental law is causing, or has caused, environmental harm or a risk of environmental harm.
- (2) A compliance notice is a notice requiring the public authority to whom it is issued to take the steps set out in the notice in order to address its failure to comply with environmental law.