



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

2021 asp 4

PART 2

ENVIRONMENT

CHAPTER 2

ENVIRONMENTAL GOVERNANCE

Interpretation of Chapter 2

- 45** **Meaning of “environmental protection”, “environmental harm” and “the environment”**
- (1) In this Chapter, “environmental protection” means—
- (a) protecting, maintaining, restoring or improving the quality of the environment,
 - (b) preventing, mitigating, minimising or remedying environmental harm caused by human activities,
 - (c) monitoring, considering, assessing, recording, reporting on or managing data on anything relating to paragraphs (a) and (b).
- (2) In this Chapter, “environmental harm” means—
- (a) harm to the health of human beings, animals, plants or any other living organisms,
 - (b) harm to the quality of the environment, including—
 - (i) harm to the quality of the environment taken as a whole,
 - (ii) harm to the quality of air, water or land, and
 - (iii) other impairment of, or interference with, biodiversity or ecosystems,
 - (c) offence to the senses of human beings,
 - (d) damage to property, or

Status: This is the original version (as it was originally enacted).

- (e) impairment of, or interference with, amenities or other legitimate uses of the environment.
- (3) In this Chapter, “the environment”—
- (a) means all, or any, of the air, water and land (including the earth’s crust), and “air” includes the air within buildings and the air within other natural or man-made structures above or below ground, and
 - (b) includes wild animal and plant life and the habitats of wild animal and plant life.
- (4) In subsection (1), “human activities”—
- (a) means human activities of any kind (whether industrial, commercial or otherwise), and any connected activities, that are capable of causing, or liable to cause, environmental harm, and
 - (b) includes (with or without other activities) the production, treatment, keeping, depositing or disposal of any substance.
- (5) In subsection (3)(b), “animal and plant life” includes any living organisms.