

*Status: This version of this provision is prospective.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Water Environment (Controlled Activities) (Scotland) Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## SCOTTISH STATUTORY INSTRUMENTS

# 2005 No. 348

## The Water Environment (Controlled Activities) (Scotland) Regulations 2005

### PART IV

#### Modification and termination of authorisations

PROSPECTIVE

#### **Transfer of authorisation**

**22.—(1)** A responsible person may, jointly with another person, apply to transfer an authorisation granted under regulation 9 (in whole or in part) to the other person.

(2) The provisions of regulation 12 and 14(1) to (3) apply to an application under paragraph (1) as if it is an application.

(3) SEPA shall not grant an application under paragraph (1) unless it is satisfied that the person to whom the authorisation is to be transferred will secure compliance with the terms, limitations and conditions specified in the authorisation, or relevant part thereof.

(4) SEPA shall determine an application under this regulation within 2 months beginning with the date on which it receives the application, or such longer period as may be agreed with the applicants in writing.

(5) SEPA shall notify the applicants of its determination and, if it refuses the application, give its reasons for doing so.

(6) Where SEPA fails to determine the application within the period specified in paragraph (4), it shall be deemed to have been granted.

#### **Commencement Information**

**11** Reg. 22 in force at 1.4.2006, see [reg. 1\(2\)](#)

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**Changes and effects yet to be applied to :**

- Instrument appl by [S.S.I. 2006/133 reg 3](#)
- Regulations revoked by [S.S.I. 2011/209 reg. 58\(1\)\(a\)](#)
- reg. 22 coming into force by [S.S.I. 2005/348 reg. 1\(2\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 rule 16 words substituted by [S.S.I. 2009/420 reg. 4\(7\)](#)
- Sch. 8 para. 1(v)(w) inserted by [S.S.I. 2009/420 reg. 4\(9\)\(b\)](#)
- reg. 10(A1) inserted by [S.S.I. 2009/420 reg. 4\(4\)\(a\)](#)
- reg 15A added by [S.S.I. 2006/553 reg 2](#)