

EXECUTIVE NOTE

THE WATER ENVIRONMENT (RELEVANT ENACTMENTS) ORDER 2006 SSI/2006/554

The above instrument is made in exercise of the powers conferred by section 2(8) of the Water Environment and Water Services (Scotland) Act 2003 (“the WEWS Act”).

Policy Objectives

1. This instrument identifies the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR) as a relevant enactment for the purposes of section 2 of the WEWS Act. This is necessary to ensure that the requirement for Scottish Ministers and SEPA to ‘have regard to the social and economic impact of the exercise of their functions’, as set out in WEWS, applies to CAR.
2. It is made at the same time as The Water Environment (Controlled Activities) (Third Party Representations Etc) (Scotland) Regulations 2006, as taken together these instruments deliver our policy of ensuring third party interests are given due consideration in the regulatory process.
3. In addition to this specific policy matter, this designation also ensures that Scottish Ministers and SEPA exercise their functions under CAR to secure compliance with the Directive; and promote sustainable flood management and sustainable development in carrying out their functions under CAR.

Financial Implications

4. There are no financial implications arising from this instrument.

Negative Resolution Procedure

5. This instrument is subject to the negative resolution procedure.

Scottish Executive Environment and Rural Affairs Department
November 2006