
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 364

The Public Water Supplies (Scotland) Regulations 2014

PART 10

OFFENCES: PARTS 8 AND 9

Offences

35.—(1) It is an offence for Scottish Water to contravene—

- (a) regulation 29(1);
- (b) a requirement of a notice given to it under regulation 31(3)(d);
- (c) regulation 33(1);
- (d) a requirement of a notice given to it under regulation 33(7);
- (e) a requirement of a notice given to it under regulation 34(1)(b); or
- (f) a requirement of a notice given to it under regulation 34(2)(b).

(2) In any proceedings against Scottish Water for an offence under paragraph (1)(a) or (1)(b), it is a defence to show that Scottish Water took all reasonable steps and exercised all due diligence to avoid committing the offence.

(3) It is an offence for a person furnishing information or making an application (for approval) under regulation 33 or 34 to make a statement which that person knows to be false in a material particular, or to recklessly make a statement which is false in a material particular.

(4) A person ^{M1} who commits an offence under paragraph (1) or (3) is liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment, to a fine.

Marginal Citations

M1 By virtue of section 5 and section 23(1) of, and Schedule 1 to, the [Interpretation Act 1978 \(c. 30\)](#), “person” includes a body of persons corporate (such as Scottish Water) and unincorporate (such as Scottish partnership or other association).

Changes to legislation:

There are currently no known outstanding effects for the The Public Water Supplies (Scotland) Regulations 2014, Section 35.