

**Changes to legislation:** Water (Scotland) Act 1980, Paragraph 2 is up to date with all changes known to be in force on or before 10 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 4

#### PROVISIONS TO BE INCORPORATED IN ORDERS RELATING TO WATER UNDERTAKINGS

##### Modifications etc. (not altering text)

- C1** Sch. 4 extended by Gas Act 1986 (c. 44, SIF 44:2), s. 3, Sch. 7 para. 2 (1) (xxxviii), Sch. 8 para. 33
- C1** Sch. 4: power to apply conferred (1.10.1991) by Natural Heritage (Scotland) Act 1991 (c. 28, SIF 46:1, 130), s. 20(10), Sch. 7 para. 5(1)(b)

### PART II

#### WORKS AND LANDS

##### *Permissible limits of deviation.*

- 2 In the construction of any authorised works the undertakers may deviate laterally to any extent not exceeding the limits of deviation shown on the plans submitted to the Secretary of State and, where on any [<sup>F1</sup>road] no such limits are shown, the boundaries of the [<sup>F1</sup>road] (including for this purpose any verge or roadside waste adjoining it) shall be deemed to be such limits, and they may also deviate vertically from the levels shown on the deposited sections to any extent:

Provided that—

- (a) no embankment for a reservoir shall be constructed at a greater height above the general surface of the ground than that shown on the said plans and six feet in addition thereto; and
- (b) except for the purpose of crossing a stream, canal, dyke, watercourse or railway, or of crossing any lands where the consent of all persons interested in those lands has been obtained, no pipe or other conduit or aqueduct shall be raised above the surface of the ground otherwise than in accordance with the said plans.

##### Textual Amendments

- F1** Word substituted by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(1), Sch. 9 para. 81(15)(a)

##### Modifications etc. (not altering text)

- C1** Sch. 4 para. 2 applied (with modifications) (15.1.1992) by S.I. 1992/30, art. 3, Sch. 2
- Sch. 4 para. 2 applied (with modifications) (3.3.1992) by S.I. 1992/393, art. 3, Sch. 2
- Sch. 4 para. 2 applied (with modifications) (20.4.1992) by S.I. 1992/998, art. 3, Sch. 2
- Sch. 4 para. 2 applied (with modifications) (17.6.1994) by S.I. 1994/1556, art. 3, Sch. 2
- Sch. 4 para. 2 applied (with modifications) (1.1.1995) by S.I. 1994/3308, art. 3, Sch. 2

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- Sch. 4 para. 2 applied (with modifications) (3.4.1997) by [S.I. 1997/1115, art. 3, Sch. 2](#)  
 Sch. 4 para. 2 applied (with modifications) (12.11.1999) by [S.S.I. 1999/127, art. 3, Sch. 2](#)  
 Sch. 4 para. 2 applied (with modifications) (9.10.2001) by [S.S.I. 2001/369, art. 3, Sch. 1](#)  
 Sch. 4 para. 2 applied (with modifications) (14.10.2005) by [S.S.I. 2005/508, art. 3, Sch. 2](#)  
 Sch. 4 para. 2 applied (with modifications) (14.10.2005) by [S.S.I. 2005/509, art. 3, Sch. 2](#)  
 Sch. 4 para. 2 applied (with modifications) (21.10.2005) by [S.S.I. 2005/513, art. 3, Sch. 2](#)  
 Sch. 4 para. 2 applied (with modifications) (11.11.2005) by [S.S.I. 2005/576, art. 3, Sch. 2](#)  
 Sch. 4 para. 2 applied (with modifications) (11.11.2005) by [S.S.I. 2005/577, art. 3, Sch. 2](#)  
 Sch. 4 para. 2 applied (with modifications) (11.11.2005) by [S.S.I. 2005/578, art. 3, Sch. 2](#)  
 Sch. 4 para. 2 applied (with modifications) (23.12.2005) by [S.S.I. 2005/649, art. 3, Sch. 2](#)  
 Sch. 4 para. 2 applied (with modifications) (14.3.2006) by [S.S.I. 2006/152, art. 3, Sch. 2](#)  
 Sch. 4 para. 2 applied (with modifications) (14.3.2006) by [S.S.I. 2006/153, art. 3, Sch. 2](#)  
 Sch. 4 para. 2 applied (with modifications) (2.6.2006) by [S.S.I. 2006/296, art. 3, Sch. 2](#)  
 Sch. 4 para. 2 applied (with modifications) (21.6.2006) by [S.S.I. 2006/360, art. 3, Sch. 2](#)  
 Sch. 4 para. 2 applied (with modifications) (21.6.2006) by [S.S.I. 2006/361, art. 3, Sch. 2](#)  
**C2** [Sch. 4 para. 2 applied \(with modifications\) \(18.12.2008\) by The Scottish Water \(Loch of Boardhouse\) Water Order 2008 \(S.S.I. 2008/429\), arts. 1, 3, sch. 2](#)

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

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

- s. 24(1A) inserted by [2003 asp 3 sch. 4 para. 3\(3\)](#)
- s. 110A certain functions transferred by [S.I. 1999/1750 art. 3Sch. 2](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 110A by 1995 c. 25, Sch. 21 para. 5 has not yet been brought into force)
- s. 110A inserted by [1995 c. 25 Sch. 21 para. 5](#)
- s. 110A(7) words substituted by [1997 c. 11 Sch. 2 para. 30\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 110A by 1995 c. 25, Sch. 21 para. 5 has not yet been brought into force)
- s. 110A(8) words substituted by [1997 c. 11 Sch. 2 para. 30\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 110A by 1995 c. 25, Sch. 21 para. 5 has not yet been brought into force)
- Sch. 3 para. 4(3)(4) inserted by [2003 asp 3 sch. 4 para. 4\(2\)](#)
- Sch. 3 para. 6(1A) inserted by [2003 asp 3 sch. 4 para. 4\(3\)](#)
- Sch. 4 s. 34(3) inserted by [2003 asp 3 sch. 4 para. 5](#)