



Water (Scotland) Act 1980

1980 CHAPTER 45

^{F1} PART VIA

QUALITY OF WATER

76E Enforcement of sections 76A to 76D.

- (1) This section applies to enforcement of the duties of [^{F1}Scottish Water] under sections 76A and 76D(1) and under regulations made under section 76B.
- (2) Without prejudice to its generality, section 11 above (power of Secretary of State to make a default order) shall have effect, subject to the following provisions of this section, for the enforcement by the Secretary of State of the duties referred to in subsection (1) above.
- [^{F2}(2A) The reference in subsection (2) of section 11 to “such a failure on the part of Scottish Water” is to be construed as a reference to a failure by Scottish Water in any of the duties referred to in subsection (1) above.]
- (3) The Secretary of State may make an order under subsection (2) of section 11 without having caused a local inquiry to be held into the matter.
- [^{F3}(3A) Before making an order under subsection (2) of section 11, the Scottish Ministers must consult the Drinking Water Quality Regulator for Scotland.]
- ^{F4}(4)

Textual Amendments

- F1** Words in s. 76E(1) substituted (1.4.2002) by [Water Industry \(Scotland\) Act 2002 \(asp 3\)](#), s. 71(1), [Sch. 6 para. 53\(a\)](#) (with s. 67); [S.S.I. 2002/118](#), [art. 2\(3\)](#)
- F2** [S. 76E\(2A\)](#) inserted (1.1.2015) by [The Public Water Supplies \(Scotland\) Regulations 2014 \(S.S.I. 2014/364\)](#), [regs. 1\(1\)](#), [48\(a\)\(i\)](#) (with [reg. 1\(3\)\(4\)](#))
- F3** [S. 76E\(3A\)](#) inserted (1.1.2015) by [The Public Water Supplies \(Scotland\) Regulations 2014 \(S.S.I. 2014/364\)](#), [regs. 1\(1\)](#), [48\(a\)\(ii\)](#) (with [reg. 1\(3\)\(4\)](#))

Changes to legislation: Water (Scotland) Act 1980, Section 76E is up to date with all changes known to be in force on or before 10 July 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

F4 S. 76E(4) repealed (1.1.2015) by The Public Water Supplies (Scotland) Regulations 2014 (S.S.I. 2014/364), regs. 1(1), **48(a)(iii)** (with reg. 1(3)(4))

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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](#)