



Environment Act 2021

2021 CHAPTER 30

PART 5

WATER

Water quality

92 Solway Tweed river basin district: power to transfer functions

- (1) The Secretary of State may by regulations amend or modify the Solway Tweed Regulations in accordance with this section.
- (2) The “Solway Tweed Regulations” means the Water Environment (Water Framework Directive) (Solway Tweed River Basin District) Regulations 2004 ([S.I. 2004/99](#)).
- (3) The regulations may provide for a function under the Solway Tweed Regulations which is exercisable (to any extent)—
 - (a) by the Secretary of State and the Scottish Ministers jointly,
 - (b) by the Secretary of State and the Scottish Ministers concurrently, or
 - (c) only by the Secretary of State or the Scottish Ministers,to be exercised (to any extent) in another of those ways.
- (4) The regulations may provide for a function under the Solway Tweed Regulations which is exercisable (to any extent)—
 - (a) by the Environment Agency and SEPA jointly,
 - (b) by the Environment Agency and SEPA concurrently, or
 - (c) only by the Environment Agency or SEPA,to be exercised (to any extent) in another of those ways.
- (5) The regulations may make provision changing the geographical area in relation to which a function under the Solway Tweed Regulations is exercisable (or is exercisable by a specified person).
- (6) The regulations may also provide—

Status: Point in time view as at 24/01/2022.

Changes to legislation: There are currently no known outstanding effects for the Environment Act 2021, Section 92. (See end of Document for details)

- (a) for a function within subsection (3) to be exercisable only with the consent of, or after consultation with, the Secretary of State or the Scottish Ministers;
 - (b) for a function within subsection (4) to be exercisable only with the consent of, or after consultation with, the Environment Agency, SEPA, the Secretary of State or the Scottish Ministers.
- (7) The Secretary of State may make regulations under this section only with the consent of the Scottish Ministers.
- (8) Regulations under this section are subject to the negative procedure.
- (9) In this section “SEPA” means the Scottish Environment Protection Agency.

Commencement Information

II S. 92 in force at 9.1.2022, see s. 147(2)(m)

Status:

Point in time view as at 24/01/2022.

Changes to legislation:

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