



# Water Industry (Scotland) Act 2002

## 2002 asp 3

### PART 3

#### SCOTTISH WATER

##### *General duties*

#### **53 Environmental matters**

- (1) The Scottish Ministers, in exercising their functions under or by virtue of this Act, the 1968 Act or the 1980 Act and Scottish Water, in exercising its functions, must have regard to the matters specified in subsection (2).
- (2) Those matters are—
  - (a) the desirability of preserving for the public any freedom of access (including access for recreational purposes) to areas of forest, woodland, mountains, moor, bog, cliff, foreshore, loch or reservoir and to other places of natural beauty, and
  - (b) the desirability of protecting and conserving—
    - (i) buildings,
    - (ii) sites, and
    - (iii) objects,of archaeological, architectural, historic or scientific interest and of maintaining the availability to the public of any facility for visiting or inspecting any such building, site or object.
- (3) The Scottish Ministers and Scottish Water must, in exercising the functions referred to in subsection (1), further—
  - (a) the conservation and enhancement of natural beauty and the conservation of flora and fauna, and
  - (b) the conservation of geological or physiographical features of special interest.
- (4) Subsection (3) applies so far as is consistent with the purposes of any enactment relating to the functions of the Scottish Ministers or, as the case may be, Scottish Water (whether or not functions under or by virtue of this Act, the 1968 Act or the 1980 Act).

**Changes to legislation:**

There are currently no known outstanding effects for the Water Industry (Scotland) Act 2002, Section 53.