

Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Water Environment (Controlled Activities) (Scotland) Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PROSPECTIVE

SCHEDULE 2

Regulations 4(1)(b) and

Substances referred to in regulations 4(1)(b) and 28(1)(b)(iii)

1. Subject to paragraph 2, a substance is listed in this Schedule if it belongs to one of the following families or groups of substances—

- (a) organohalogen compounds and substances which may form such compounds in the aquatic environment;
- (b) organophosphorus compounds;
- (c) organotin compounds;
- (d) substances which possess carcinogenic, mutagenic or teratogenic properties in or via the aquatic environment;
- (e) mercury and its compounds;
- (f) cadmium and its compounds;
- (g) mineral oils and hydrocarbons;
- (h) cyanides.

Commencement Information

I1 Sch. 2 para. 1 in force at 1.4.2006, see [reg. 1\(2\)](#)

2. A substance is not listed in this Schedule if it has been determined by SEPA to be inappropriate to be so listed on the basis of a low risk of toxicity, persistence and bioaccumulation.

Commencement Information

I2 Sch. 2 para. 2 in force at 1.4.2006, see [reg. 1\(2\)](#)

3. SEPA shall publish any determination it makes under paragraph 2 in such manner as it considers appropriate to bring it to the notice of persons affected by, likely to be affected by, or interested in the determination and shall make copies of the determination available to the public free of charge.

Commencement Information

I3 Sch. 2 para. 3 in force at 1.4.2006, see [reg. 1\(2\)](#)

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Changes and effects yet to be applied to :

- Instrument appl by [S.S.I. 2006/133 reg 3](#)
- Sch. 2 para. 1 coming into force by [S.S.I. 2005/348 reg. 1\(2\)](#)
- Sch. 2 para. 2 coming into force by [S.S.I. 2005/348 reg. 1\(2\)](#)
- Sch. 2 para. 3 coming into force by [S.S.I. 2005/348 reg. 1\(2\)](#)
- Sch. 2 substituted by [S.S.I. 2009/420 reg. 4\(6\)](#)Sch. 1
- Regulations revoked by [S.S.I. 2011/209 reg. 58\(1\)\(a\)](#)

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

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

- Sch. 3 rule 16 words substituted by [S.S.I. 2009/420 reg. 4\(7\)](#)
- Sch. 8 para. 1(v)(w) inserted by [S.S.I. 2009/420 reg. 4\(9\)\(b\)](#)
- reg. 10(A1) inserted by [S.S.I. 2009/420 reg. 4\(4\)\(a\)](#)
- reg 15A added by [S.S.I. 2006/553 reg 2](#)