SCOTTISH STATUTORY INSTRUMENTS

2005 No. 63

WATER SUPPLY

The Water (Prevention of Pollution) (Code of Practice) (Scotland) Order 2005

Made - - - -	*7th February 2005*
Laid before the Scottish Parliament - - - -	*8th February 2005*
Coming into force - -	*11th March 2005*

The Scottish Ministers, in exercise of the powers conferred by section 51(1) of the Control of Pollution Act 1974(**1**) and of all other powers enabling them in that behalf, after consultation with SEPA in accordance with section 51(3) of the said Act, hereby make the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Water (Prevention of Pollution) (Code of Practice) (Scotland) Order 2005 and shall come into force on 11th March 2005.

(2) This Order shall extend to Scotland only.

Code of Practice

2. —The Code of Good Practice for the Prevention of Environmental Pollution from Agricultural Activity of which a copy is to be deposited in the Scottish Parliament on 8th February 2005 and which is to be issued by the Scottish Ministers on 11th March 2005, in so far as it is issued for the purpose of–

(a) giving practical guidance to persons engaged in agriculture with respect to activities that may affect controlled waters(**2**); and

(b) promoting what appears to them to be desirable practices by such persons for avoiding or minimising the pollution of any such waters,

being all sections of the Code other than–

(i) section 3; and

(**1**) 1974, c. 40; section 51 was substituted by the Water Act 1989 (c. 15), Schedule 23, paragraph 5 and amended by the Environment Act 1995 (c. 25), Schedule 22, paragraph 29(2). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) See the definition of "controlled waters" in section 30A(1) of the Control of Pollution Act 1974, inserted by the Water Act 1989, Schedule 23, paragraph 4.