

WATER RESOURCES (SCOTLAND) ACT 2013

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 1 – Development of Water Resources

Section 1 – Duty of the Scottish Ministers

7. This section places a duty upon the Scottish Ministers to take such reasonable steps as they consider appropriate for the purpose of ensuring the development of the value of Scotland's water resources. Value in this context means the value of the resources on any basis (including their monetary or non-monetary worth) and extends to the economic, social, environmental or other benefits deriving from the use of the resources. The steps that Ministers take must be designed to promote the sustainable use of Scotland's water resources.
8. Ministers are to act so far as is consistent with the proper exercise of their functions under the 2003 Act (which concerns protection of the water environment) and the [Climate Change \(Scotland\) Act 2009 \(asp 12\)](#) (which concerns the reduction of greenhouse gas emissions) and any other functions (whether or not relating to water resources or environmental matters).
9. In this context, Scotland's water resources means wetland, inland water and transitional water as defined by section 3 of the 2003 Act. Broadly, this means all standing or flowing water on the surface of the land, and all groundwater, and includes partly saline water in the vicinity of river mouths.

Section 2 – Involvement of public bodies

10. This section enables (1) the Scottish Ministers to give the bodies listed in section 3(1) directions as to the exercise of their functions for the purpose of securing their participation in the development of the value of Scotland's water resources. Ministers must consult each body which will be subject to the directions before they are made.

Section 3 – Designation of bodies

11. This section lists the bodies to which the Scottish Ministers may issue directions for the purpose of securing their participation in the development of the value of Scotland's water resources. Ministers may alter the list by regulations, after consultation with each body to which the alteration relates.

Section 4 – Report on steps taken

12. This section requires the (1) Scottish Ministers to report to the Scottish Parliament annually for the first three years from the date on which section 1 comes into force on how they have complied with their duty to take such reasonable steps as they consider appropriate for the purpose of ensuring the development of the value of Scotland's water resources. Ministers may prepare further reports on their compliance with the

*These notes relate to the Water Resources (Scotland) Act
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duty in section 1, covering subsequent periods of three years or more, as they consider appropriate.