
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Urban Waste Water Treatment (Scotland) Regulations 1994, (“the principal Regulations”) which implement Council Directive [91/271/EEC](#) concerning urban waste water treatment (“the Directive”). The principal Regulations, amongst other matters, require the Scottish Ministers to keep under review the identification of “sensitive areas” and “high natural dispersion areas” which are areas of water defined in accordance with specified criteria. The functions of the Secretary of State in respect of the Directive were transferred to the Scottish Ministers by section 53 of the Scotland Act [1998 \(c. 46\)](#).

Regulation 2, requires the Scottish Ministers to publicise the decision taken on a review by doing the following:

- (a) giving a notice of the decision to SEPA, including the date on which it takes effect;
- (b) publishing the notice in the Edinburgh Gazette and on their website;
- (c) ensuring that maps reflecting the decision are deposited with SEPA; and
- (d) taking such other steps as it considers appropriate to publicise the decision.

Regulation 2(3) specifies that the decision takes effect on the date specified in the notice of the Scottish Ministers and continues in force until any subsequent decision takes effect.

Regulation 3(1) places a duty on the Scottish Ministers and SEPA to ensure that their respective websites contain certain information. The websites must show maps of all current sensitive areas and high natural dispersion areas and must give the dates that any such areas of water were identified, or cease to be so identified. Regulation 3(2) places a duty on SEPA to ensure that the maps and other information are available for public inspection at its principal office and its principal regional offices.

Regulation 4 makes consequential amendments to the principal Regulations. The amendments make the relevant parts of the principal Regulations subject to the requirements of these Regulations, and revoke existing provisions about the deposit and publication of maps.

The Scottish Ministers' website is www.scotland.gov.uk.