

**EXECUTIVE NOTE TO  
THE SURFACE WATERS (SHELLFISH) (CLASSIFICATION)(SCOTLAND)  
AMENDMENT REGULATIONS 2007  
S.S.I. 2007 No. 427**

The above instrument was made in exercise of the powers conferred by sections 30B and 104(1) of the Control of Pollution Act 1974 and section 2 of the European Communities Act 1972. The instrument is subject to negative resolution procedure.

**Policy Objectives**

The purpose of the instrument is to prescribe amendments to the Surface Waters (Shellfish)(Classification)(Scotland) Regulations 1997.

The 1997 Regulations prescribe a system for classifying the quality of controlled waters which are coastal or brackish waters which need protection or improvement in order to support Shellfish life and growth.

The classification (SFW) (“shellfish Waters”) reflects the mandatory values assigned by Directive 2006/113 EC (on the quality required of shellfish waters) to the parameters listed in the Schedule to these Regulations. The Regulations also incorporate the reference methods of measurement, and the minimum frequency required for sampling and analysis, laid down in that Directive for those parameters.

The 1997 and 2007 Regulations, together with the Surface Waters (Shellfish) (Scotland) Directions 2006, transpose Directive 2006/113 EC in relation to Scotland.

**Consultation**

As this is an amendment to an existing Regulation, no consultation has been necessary.

**Financial effects**

The instrument has no financial effects on the Scottish Executive, local government, or on business.

Scottish Executive Environment Directorate  
27 August 2007