
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the purpose of implementing, in Scotland, Directive [2006/7/EC](#) of the European Parliament and of the Council concerning the management of bathing water quality and repealing Directive [76/160/EEC](#) (O.J. L 64, 4.3.2006, p.37).

Regulation 3 makes provision in relation to identifying bathing waters and the length of the bathing season.

Regulation 4 sets out general duties on the Scottish Ministers, local authorities and the Scottish Environment Protection Agency (SEPA) in order to secure compliance with Directive [2006/7/EC](#). Regulation 5 sets out duties on the Scottish Ministers to ensure public participation, particularly in the establishment, review and updating of the lists of bathing waters.

Regulation 6 obliges SEPA to establish a bathing water profile at every bathing water. The minimum contents of the bathing water profile are set out in Schedule 1.

Regulation 7 sets out the general monitoring obligations incumbent upon SEPA and Local Authorities at bathing waters. The monitoring obligations are set out in detail in Schedule 2.

Regulation 8 obliges: the local authorities to make public certain information on signs erected at the bathing water, SEPA to supply the local authorities with certain information and for SEPA to publish certain information on its website.

Under regulations 9 and 10 SEPA must assess the bathing water quality data gathered under its monitoring programme and then classify each bathing water as “poor”, “sufficient”, “good” or “excellent”. Schedule 3 sets out the meaning of each classification.

Regulations 11 16 set out the management measures that are to be taken at bathing waters that are subject to pollution.

Regulations 17 19 contain certain general provisions which relate to the discharge of local authority functions and in relation to the discharge by SEPA and local authorities of their consultation obligations.

Regulations 20 22 contain amending, transitional and revoking provisions.

A transposition note and Regulatory Impact Assessment have been prepared in connection with these regulations. A copy of each may be obtained from the Scottish Government, Water, Air, Soils and Flooding Division, Victoria Quay, Edinburgh EH6 6QQ.

Changes to legislation:

There are currently no known outstanding effects for the The Bathing Waters (Scotland) Regulations 2008.