

TRANSPOSITION NOTE

The main purpose of the Water Environment (River Basin Management Planning etc.) (Miscellaneous Amendments) (Scotland) Regulations 2015 (“the Regulations”) is to bring into force the provisions necessary to comply with Directive 2013/39/EU (“the Directive”) in so far as it applies in relation to the Scotland River Basin District¹.

The Directive aims to achieve good surface water chemical status by laying down environmental quality standards for priority substances and certain other pollutants. It amends Directive 2008/105/EC (“PSD”) on environmental quality standards in the field of water policy and revises the list of priority substances in Directive 2000/60/EC (“WFD”) establishing a framework for Community action in the field of water policy.

The table below sets out how the Regulations transpose the Articles of the Directive.

Article	Amendment	Provision
Article 1	Replaces Annex X to WFD (priority substances)	Regulation 2(a) (revises definition of WFD so as to include the new Annex X) ²
Article 2(1)	Amends Article 2 of PSD (definitions)	Regulation 3(a)
Article 2(2)	Replaces Article 3 of PSD (environmental quality standards)	Regulations 2(b), 3(b) and 6
Article 2(3)	Deletes Articles 4(4) and 5(6) of PSD (procedure for technical guidelines)	None required
Article 2(4)	Inserts new Article 7a into PSD (coordination)	Regulation 3(c) (so far as it inserts regulation 19A)
Article 2(5)	Inserts new Articles 8, 8a, 8b, 8c, 9 and 9a into PSD (includes watch list)	Regulation 3(c) (so far as it inserts regulation 17(13) for Article 8a(2) and regulation 19B for Article 8b). None required for other Articles.
Article 2(6)	Amends Annex I to PSD (environmental quality standards)	Regulation 3(a) and (b) (in so far as the inserted provisions apply Annex I)
Article 2(7)	Deletes Annexes II and III to PSD	None required
Articles 3 & 4	Administrative provisions	None required

Environmental Quality Division May 2015

¹ The amendments made by regulations 3(c) and 5 apply more generally to the whole of Scotland. The Scotland River Basin District refers to the area designated by the Water Environment and Water Services (Scotland) Act 2003 (Designation of Scotland River Basin District) Order 2003.

² The Water Environment and Water Services (Scotland) Act 2003 (Modification of Part 1) Regulations 2015 will also modify references to WFD in Part 1 of that Act to include new Annex X.