

TRANSPOSITION NOTE

The Public Water Supplies (Scotland) Amendment Regulations 2017 (“the amending Regulations”) amend the Public Water Supplies (Scotland) Regulations 2014 (“the principal Regulations”) to make fresh and supplementary provision to transpose and implement, for Scotland, Commission Directive (EU) 2015/1787 amending Annexes II and III to Council Directive 98/83/EC on the quality of water intended for human consumption⁽¹⁾.

The provisions in Part 1 of the principal Regulations are updated in consequence of the other changes or to align the principal Regulations more closely with the provisions of Council Directive 98/83/EC as last amended by Commission Directive (EU) 2015/1787.

In particular, regulation 1(3) of the principal Regulations is replaced with a new provision so that the principal Regulations dovetail with the Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017. By virtue of this provision, the changes made by the amending Regulations apply only in relation to water introduced into or supplied through or from any part of the public water supply system, water supplied by Scottish Water by other means, and water supplied with the help of services provided by Scottish Water.

The amending Regulations also revoke and re-enact (with modifications) some provisions of the principal Regulations which transpose Council Directive 2013/51/Euratom laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption⁽²⁾ (“the Euratom Directive”). These changes are made to make the principal Regulations more coherent and simpler to follow.

In addition, some consequential and other changes are made to the principal Regulations so that the principal Regulations align more closely with requirements of the above Directives.

The amendments made by Commission Directive (EU) 2015/1787 are transposed as follows:

Article	Subject	Provision
Article 1(1)	Replacement of Annex II of Council Directive 98/83/EC	Regulation 7 and schedule 1 (in so far as these insert Parts A to D of new schedule 1A).
Article 1(2)	Amendment of Annex III of Council Directive 98/83/EC	Regulation 10 and schedule 2 (in so far as these insert Parts A and B of new schedule 3).

Provision transposing Annexes II and III of the Euratom Directive is re-enacted as follows:

Article	Subject	Provision
Annex II	Monitoring for radioactive substances	Regulation 7 and schedule 1 (in so far as these insert Part E of new schedule 1A).
Annex III	Monitoring for indicative dose etc.	Regulation 7 and schedule 1 (in so far as these insert Part F of new schedule 1A), and regulation 10 and schedule 2 (in so far as these insert Part C of new schedule 3).

Scottish Government
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⁽¹⁾ OJ L 260, 7.10.2015, p. 6.

⁽²⁾ OJ L 296, 7.11.2013, p. 12.