

TRANSPOSITION NOTE

The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 revoke and replace relevant provisions of the Private Water Supplies (Scotland) Regulations 2006 to make fresh and supplementary provision to transpose and implement for Scotland:

- Council Directive 98/83/EC on the quality of water intended for human consumption⁽¹⁾ (“the Drinking Water Directive”); and
- 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”),

except in relation to the following (which are covered by separate regulations): water introduced into or supplied through or from any part of the public water supply system; water supplied by Scottish Water by other means; water supplied with the help of services provided by Scottish Water; and water from supplies which are exempt from the 2017 Regulations by virtue of regulation 2(4).

The relevant requirements of the Drinking Water Directive are transposed as follows:

Article	Subject	Provision
Article 2	Definitions	Regulation 3
Article 3	Exemptions	Regulation 2
Article 4	General obligations	Regulations 14 and 16, along with: regulation 4, Part 2 (read with schedule 1), Part 3 and Parts 8 to 10 (read with schedules 6 to 10) ⁽³⁾ .
Article 5	Quality standards	Schedule 2
Article 6	Point of compliance etc.	Definition of “point of compliance” in regulation 3(1), regulation 14, and regulation 22(2) and (3).
Article 7	Monitoring	Regulations 18 to 20
Article 8	Remedial action and restrictions on use	Regulations 21, 22(1) and 23
Article 9	Derogations	Schedule 5
Article 10	Quality assurance of treatment etc.	Regulation 17
Article 12	Information and reporting	Regulation 24 to 26
Annex I	Parameters and parametric values	Schedule 2
Annex II	Monitoring	Parts A to D of schedule 3
Annex III	Specification for the analysis of parameters	Parts A and B of schedule 4

⁽¹⁾ OJ L 330, 5.12.1998, p. 32, as amended by Regulation (EC) No 1882/2203 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1), Regulation (EC) No 596/2009 of the European Parliament and of the Council (OJ L 188, 18.7.2009, p. 14) and Commission Directive (EU) 2015/1787 (OJ L 260, 7.10.2015, p. 6).

⁽²⁾ OJ L 296, 7.11.2013, p. 12.

⁽³⁾ In addition, the provisions of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (S.S.I. 2011/209) ensure that any measures taken pursuant to the provisions of the 2017 Regulations will not have the effect of allowing any increase in the pollution of waters used for the production of drinking water.

The relevant requirements of the Euratom Directive are transposed as follows:

Article	Subject	Provision
Article 2	Definitions	Regulation 3
Article 3	Scope and exemptions	Regulation 2
Article 4	General obligations	Regulations 19 and 21 along with: regulations 4, Part 2 (read with schedule 1), Part 3, Part 4 (read with schedule 2) and Parts 8 to 10 (read with schedules 6 to 10).
Article 5	Parametric values and points of compliance	Definition of “point of compliance in regulation 3(1), Part 4 (read with schedule 2), and regulation 19.
Article 6	Monitoring and analysis	Part 5 (read with schedules 3 and 4).
Article 7	Remedial action and notification etc.	Regulations 21, 22(1) and 23(1)
Annex I	Parameters values etc.	Part C of schedule 2
Annex II	Monitoring for radioactive substances	Part E of schedule 3
Annex III	Monitoring for indicative dose etc.	Part F of schedule 3, and Part C of schedule 4.

Scottish Government
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