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STATUTORY INSTRUMENTS

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**2017 No. 407**

**The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017**

**PART 7**

General

**Publication of information**

**34.**—(1) The appropriate agency must make accessible to the public at its principal office—

- (a) the results of the work required by regulation 5 (characterisation of river basin districts);
- (b) maps showing bodies of water identified under regulation 8 (bodies of water used for the abstraction of drinking water);
- (c) the registers prepared under regulation 10 (register of protected areas);
- (d) the results of the monitoring programmes established under regulation 11 (monitoring);
- (e) the environmental objectives and programmes of measures proposed or approved under regulation 12 (environmental objectives and programmes of measures);
- (f) any supplementary plan prepared under regulation 32 (supplementary plans).

(2) Where the appropriate authority approves (with or without modifications) proposals made by the appropriate agency under regulation 12(1) (environmental objectives and programmes of measures), the appropriate agency must publish a notice—

- (a) stating that the proposals have been approved, and
- (b) specifying the arrangements made for making the approved objectives and programme of measures accessible to the public.

(3) The appropriate authority must make accessible to the public through its website and at its principal office the results of the analysis conducted under regulation 7 (economic analysis of water use in river basin districts).

[<sup>F1</sup>(4) The appropriate agency must, within three years of an updated river basin management plan being published under regulation 31(5)—

- (a) produce an interim report describing progress in the implementation of each planned programme of measures;
- (b) publish that report in such manner as the appropriate agency considers appropriate.]

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**Textual Amendments**

**F1** Reg. 34(4) substituted (31.12.2020) by [The Floods and Water \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/558\)](#), regs. 1(1), **20(9)**; 2020 c. 1, Sch. 5 para. 1(1)

## Provision of information and assistance

**35.**—(1) A public body must, on being requested to do so by the appropriate agency, provide the agency with such information in its possession or under its control and such assistance as the appropriate agency may reasonably seek in connection with the exercise of any of the appropriate agency's functions under these Regulations.

(2) Section 202 of the Water Resources Act 1991 (information and assistance in connection with the control of pollution)<sup>M1</sup> has effect as if functions under these Regulations were functions under the water pollution provisions of that Act.

### Marginal Citations

**M1** Section 202 was amended by paragraph 172 of Schedule 22 and paragraph 1 of Schedule 24 to the Environment Act 1995 (c. 25) and by S.I. 2013/755 (W. 90).

## Directions

**36.**—(1) Section 40 of the Environment Act 1995 (directions to agencies)<sup>M2</sup> has effect as if the power in subsection (2) to give directions included a power for the appropriate authority to give directions to any public body for the purposes of giving effect to [F2these Regulations or any other retained EU law which implemented] the WFD.

(2) Section 122 of the Environment Act 1995 (directions)<sup>M3</sup> applies in relation to any direction given by virtue of paragraph (1) of this regulation.

(3) Article 11 of the Natural Resources Body for Wales (Establishment) Order 2012 (directions to the Natural Resources Body for Wales)<sup>M4</sup> has effect as if the power in paragraph (3) of that Order to give directions included a power for the appropriate authority to give directions to any public body for the purposes of giving effect to [F3these Regulations or any other retained EU law which implemented] the WFD.

(4) Article 11A of the Natural Resources Body for Wales (Establishment) Order 2012 (further provision about directions) applies in relation to any direction given by virtue of paragraph (3) of this regulation.

(5) The appropriate authority may give guidance to the appropriate agency or to any other public body with respect to the practical implementation of [F4these Regulations or any other retained EU law which implemented] the WFD, and that agency or public body must have regard to it.

### Textual Amendments

**F2** Words in reg. 36(1) inserted (31.12.2020) by The Floods and Water (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/558), regs. 1(1), 20(10)(a); 2020 c. 1, Sch. 5 para. 1(1)

**F3** Words in reg. 36(3) inserted (31.12.2020) by The Floods and Water (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/558), regs. 1(1), 20(10)(a); 2020 c. 1, Sch. 5 para. 1(1)

**F4** Words in reg. 36(5) inserted (31.12.2020) by The Floods and Water (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/558), regs. 1(1), 20(10)(b); 2020 c. 1, Sch. 5 para. 1(1)

### Marginal Citations

**M2** 1995 c. 25; section 40 was amended by S.I. 2011/1043, 2013/755 (W. 90).

**M3** Section 122 was amended by S.I. 2011/1043; there are other amending instruments but none is relevant.

**M4** S.I. 2012/1903, amended by section 5 of the Environment (Wales) Act 2016 (anaw 3) and by S.I. 2013/755 (W. 90). There are other amendments not relevant to these Regulations.

### **Revocation**

**37.** The 2003 Regulations are revoked.

### **Transitional provision**

**38.**—(1) Anything done under the 2003 Regulations (whether or not subsequently revised), and which has not been superseded at the time these Regulations come into force, continues to have effect and is taken to have been done under these Regulations.

(2) Paragraph (1) applies to (but is not limited to) the following—

- (a) the analysis of river basin characteristics and review of impact of human activity required to be undertaken by 22nd December 2004 under regulation 5 of the 2003 Regulations;
- (b) the economic analysis required to be undertaken by 22nd December 2004 under regulation 6 of the 2003 Regulations;
- (c) the identification of water bodies from which water is abstracted for human consumption under regulation 7 of the 2003 Regulations;
- (d) the designation of shellfish water protected areas under regulation 7A of the 2003 Regulations;
- (e) the establishment of a register of protected areas required by 22nd December 2004 under regulation 8 of the 2003 Regulations;
- (f) the establishment of operational monitoring programmes required by 22nd December 2006 under regulation 9 of the 2003 Regulations;
- (g) the setting of environmental objectives for each body of water and the establishment of programmes of measures required by 22nd December 2009 under regulation 10 of the 2003 Regulations;
- (h) the approval of updated river basin management plans required by 22nd December 2015 under regulations 14 and 15 of the 2003 Regulations.

### **Consequential amendments**

**39.** The consequential amendments in Schedule 4 have effect.

**Changes to legislation:**

There are currently no known outstanding effects for the The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017, PART 7.