PART 1

PROTECTION OF THE WATER ENVIRONMENT

CHAPTER 1

PURPOSE, GENERAL DUTIES AND DEFINITIONS

1 General purpose of Part 1
2 The general duties
3 The water environment: definitions

CHAPTER 2

RIVER BASIN MANAGEMENT PLANNING

River basin districts

4 Establishment of river basin districts
5 Characterisation of river basin districts
5A Shellfish water protected areas
6 Bodies of water used for the abstraction of drinking water
7 Register of protected areas
8 Monitoring
9 Environmental objectives and programmes of measures

River basin management plans

10 River basin management plans
11 River basin management plans: publicity and consultation
12 River basin management plans: submission for approval
13 River basin management plans: approval
14 River basin management plans: review
15 Sub-basin plans
16 Duty to have regard to river basin management plans and sub-basin plans
17 River Basin District Advisory Groups

General

18 Power to obtain information and documents etc.
19 General regulation-making power

CHAPTER 3

MEASURES FOR PROTECTION OF THE WATER ENVIRONMENT

20 Regulation of controlled activities
21 Controlled activities regulations: procedure
22 Remedial and restoration measures
23 Fixing of charges for water services
24 Planning permission: fish farming

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SUPPLEMENTARY

25 Power to give effect to Community obligations etc.
26 Annual report on implementation of Directive
27 Availability of documents for public inspection
28 Interpretation of Part 1

PART 2

WATER AND SEWERAGE SERVICES

Duty to provide water and sewerage services

29 Duty to provide water and sewerage services
30 Private sewers, SUD systems and sewage treatment works etc.: vesting, takeover and connection conditions

Mains and pipes provided by persons other than Scottish Water

31 Laying of water mains and communication pipes by persons other than Scottish Water

Vesting of waterworks and mains

32 Vesting in Scottish Water of waterworks and mains

Sustainable urban drainage systems

33 Sustainable urban drainage systems
Supplementary

34 Modifications of Part III of the 1980 Act

PART 3

GENERAL

35 Crown application
36 Orders and regulations
37 Ancillary provision
38 Commencement and short title

SCHEDULE 1 — Matters to be included in river basin management plans

Part 1 — MATTERS TO BE INCLUDED IN EVERY PLAN

1 A summary of the characterisation of the river basin district...
2 A summary of significant pressures, and the impact of human...
3 A summary of the register of protected areas maintained under...
4 Information as to the arrangements for monitoring water status under...
5 A list of the environmental objectives set under section 9...
6 A summary of the programme of measures prepared under section...
7 Information as to any sub-basin plan.
8 A non-technical summary of the information provided under paragraphs 1...
9 A summary of— (a) the steps taken under subsections (3)...
10 Information as to— (a) SEPA, and (b) every responsible authority...
11 The arrangements for making available to the public documents and...

Part 2 — ADDITIONAL MATTERS TO BE INCLUDED IN REVISED PLANS

12 A summary of the changes which have been made as...
13 An assessment of the progress made towards the achievement of...
14 A summary of any measures included in the programme of...
15 A summary of any measures additional to those referred to...

SCHEDULE 2 — Controlled activities regulations: particular purposes

Part 1 — LIST OF PURPOSES

1 (1) Further defining the activities specified in subsection (3) of...
2 (1) Determining the authorities (whether SEPA or any other public...
3 (1) Prohibiting persons from carrying on, or from causing or...
4 (1) Requiring persons proposing to carry on controlled activities to...
5 (1) Prescribing the form and content of applications for water...
6 (1) Regulating the procedure for registration required by provision made...
7 (1) Authorising, or authorising regulators to make, vary and revoke...
8 Publicity and consultation
9 Requiring or authorising regulators to carry out consultation in connection.
10 Enforcement and offences
11 (1) Authorising regulators to serve on any persons carrying on...
12 Creating offences and dealing with matters relating to such offences,...
13 Enabling, where a person has been convicted of an offence...
14 (1) Conferring rights of appeal in respect of decisions made,...
15 (1) Making provision which, subject to any modifications that the...
Part 2 — SUPPLEMENTARY PROVISIONS

16 The regulations may provide for specified provisions of the regulations...

17 General binding rules may— (a) impose conditions or requirements,

18 In connection with the imposition of conditions as mentioned in...

19 The regulations may— (a) require any such scheme as is...

20 (1) The regulations may provide for any such offence as...

21 In this schedule— “general binding rules” means rules specified in...

SCHEDULE 2A — Remedial and restoration measures regulations: offences

Offences

1 Creating offences and dealing with matters relating to such offences,...

2 Enabling, where a person has been convicted of an offence...

3 Making provision which, subject to any modification that the Scottish...

Supplementary

4 (1) The regulations may provide for any such offence as...

Interpretation

5 In this schedule— “the regulations” means regulations under...

SCHEDULE 3 — Sustainable urban drainage systems: further amendments

1 The 1968 Act

2 In section 1(1) (duty of Scottish Water to provide for...

3 In section 2 (maintenance of public sewers etc.), after “sewers,”...

4 In section 3 (power to construct public sewers)—

5 In section 3A(2) (vesting of privately constructed sewers)—

6 In section 4 (Scottish Water may close or alter public...

7 In section 7(1) (agreements between roads authorities and Scottish...

8 In section 8(1) (agreements as to provision of sewers etc,...

9 In section 11(1) (Scottish Water to keep maps of sewers,...

10 (1) Section 12 (rights of owners and occupiers to connect...

11 In section 14 (direction by Scottish Water as to manner...

12 In section 15 (owner or occupier to remedy defects in...

13 In section 16 (vesting of sewers and other works in...

14 In section 16A (vesting of certain private sewers)—

15 In section 17 (Scottish Water may take over private sewage...

16 In section 21(1) (buildings not to interfere with sewers), after...

17 In section 23 (restriction on working minerals)—

18 In section 39 (Scottish Water to have right to sewage),...

19 In section 41 (breaking open of streets etc.), after “sewers”...

20 In section 45 (production of plans and information)—

21 In section 46 (certain matter not to be passed into...

22 In section 48(1) (powers of entry)— (a) in paragraph (a),...

23 In section 59 (interpretation)— (a) in subsection (1), in the...

24 In section 46(1)(b)(ii) of the Water Industry (Scotland) Act 2002...

SCHEDULE 4 — Modifications of Part III of the 1980 Act

1 In section 22 (power to break open streets) of the...
2 In section 23 (power to lay mains etc.), after subsection...
3 (1) Section 24 (communication and supply pipes) of the 1980...
4 (1) Part II of Schedule 3 (provisions as to laying...
5 In Schedule 4 (provisions to be incorporated in orders relating...
Changes to legislation:
Water Environment and Water Services (Scotland) Act 2003 is up to date with all changes known to be in force on or before 25 July 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to:
- s. 1(1) words inserted by S.S.I. 2019/26 reg. 2(2)
- s. 2(1) words inserted by S.S.I. 2019/26 reg. 2(3)
- s. 2(2) words inserted by S.S.I. 2019/26 reg. 2(3)
- s. 20 repealed by 2014 asp 3 sch. 3 para. 8(3)
- s. 21 repealed by 2014 asp 3 sch. 3 para. 8(4)
- s. 22(2)(a) words repealed by 2014 asp 3 sch. 3 para. 8(5)(a)
- s. 22(4) inserted by 2014 asp 3 sch. 3 para. 8(5)(b)
- s. 23(4)(a) words inserted by 2014 asp 3 sch. 3 para. 8(5)(a)
- s. 23(4)(b) words repealed by 2014 asp 3 sch. 3 para. 8(7)
- s. 28(1) words inserted by S.S.I. 2019/26 reg. 2(4)(a)
- s. 28(1) words inserted by S.S.I. 2019/26 reg. 2(4)(b)
- s. 36(3) word repealed by 2014 asp 3 sch. 3 para. 8(8)(a)
- s. 36(4)(b) and word repealed by 2014 asp 3 sch. 3 para. 8(8)(b)
- s. 36(5) word repealed by 2014 asp 3 sch. 3 para. 8(8)(a)
- s. 36(6) word repealed by 2014 asp 3 sch. 3 para. 8(8)(a)
- sch. 1 para. 10(b) words substituted by 2014 asp 3 sch. 3 para. 8(9)
- sch. 2 repealed by 2014 asp 3 sch. 3 para. 8(10)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):
- s. 23(5) inserted by 2014 asp 3 sch. 3 para. 8(6)(b)
- s. 28A inserted by S.S.I. 2019/26 reg. 2(5)
- sch. 5 inserted by S.S.I. 2019/26 reg. 2(6)
- sch. 5 para. 19 word inserted by S.S.I. 2019/26, reg. 2(6) (as amended) by S.S.I. 2019/175 reg. 8(2)