



Water Environment and Water Services (Scotland) Act 2003

2003 asp 3

PART 1

PROTECTION OF THE WATER ENVIRONMENT

CHAPTER 4

SUPPLEMENTARY

25 Power to give effect to Community obligations etc.

- (1) The Scottish Ministers may by regulations provide that the provisions of this Part are to have effect with such modifications as the regulations may specify for the purpose of giving effect to any Community obligation of the United Kingdom or of exercising any related right.
- (2) In this section “related right”, in relation to an obligation, includes any derogation or other right to make more onerous provisions available in respect of that obligation.

26 Annual report on implementation of Directive

The Scottish Ministers must, as soon as practicable after the end of each calendar year, lay before the Parliament a report summarising—

- (a) action taken during the year by the Scottish Ministers, SEPA and the responsible authorities for securing compliance with the requirements of the Directive in accordance with this Part, and
- (b) progress made during the year towards achieving the environmental objectives set from time to time under section 9.

27 Availability of documents for public inspection

Where, under this Part, any order, map, plan, register or other document is to be made available for public inspection, it—

- (a) must be made available—
 - (i) in print, and
 - (ii) electronically, and
- (b) may be made available by such other means, or in such other formats, as the person required to make it available thinks fit for the purpose of encouraging the inspection of it by members of the public.

28 Interpretation of Part 1

(1) In this Part, unless the context otherwise requires—

“body of groundwater” means a distinct volume of groundwater within one or more aquifers; and “aquifer” means a subsurface layer or layers of rock or other geological strata of sufficient porosity and permeability to allow either a significant flow of groundwater or the abstraction of significant quantities of groundwater,

“body of inland surface water” means a body of surface water which is also inland water,

“body of surface water” means a discrete and significant element of surface water such as a loch, a stream, river, canal or other watercourse, part of a loch, stream, river, canal or other watercourse, a body of transitional water or a stretch of coastal water,

“body of water” means a body of groundwater or a body of surface water,

“coastal water” has the meaning given in section 3,

“controlled activity” is to be construed in accordance with section 20,

“the Directive” has the meaning given in section 1,

“groundwater” has the meaning given in section 3,

“inland water” has the meaning given in section 3,

“loch” means a body of standing inland surface water,

“protection of the water environment” has the meaning given in section 1,

“responsible authority” is to be construed in accordance with section 2,

“river basin” means an area of land from which all surface run-off water flows through a connected sequence of streams, rivers or other watercourses or lochs into the sea at a single river mouth, estuary or delta and includes any body of transitional water in the vicinity of that river mouth, estuary or delta,

“river basin district” means an area designated as such by an order under section 4(1),

“river basin management plan” means such a plan approved by the Scottish Ministers under section 13 (including that section as applied by section 14(4)),

“SEPA” means the Scottish Environment Protection Agency,

“sub-basin plan” has the meaning given in section 15,

“surface water” has the meaning given in section 3,

“the territorial sea of the United Kingdom adjacent to Scotland” has the same meaning as it has for the purposes of the Scotland Act 1998 (c. 46),

“transitional water” has the meaning given in section 3,

“watercourse” includes all rivers, streams, ditches, drains, cuts, culverts, dykes, sluices and passages through which water flows and includes artificial watercourses and underground watercourses,

“the water environment” has the meaning given in section 3.

- (2) In this Part, any reference to any loch or any river or other watercourse includes a reference to the bottom, channel or bed of any loch, river or, as the case may be, other watercourse which is for the time being dry.
- (3) Any word or expression used in both this Part and the Directive and not otherwise defined in this Part has the same meaning for the purposes of this Part as it has for the purposes of the Directive.