



Water Environment and Water Services (Scotland) Act 2003

2003 asp 3

PART 1

PROTECTION OF THE WATER ENVIRONMENT

CHAPTER 2

RIVER BASIN MANAGEMENT PLANNING

River basin districts

8 Monitoring

- (1) SEPA must, in relation to each river basin district—
 - (a) carry out, or secure the carrying out of, monitoring of the status of the water environment and relevant territorial water adjacent to the district, and
 - (b) analyse, or secure the analysis of, the information obtained under paragraph (a).
- (2) SEPA must prepare a programme for monitoring (whether by SEPA or other persons) the status of the water environment and relevant territorial water (a “monitoring programme”).
- (3) Monitoring in accordance with the monitoring programme must be commenced by 22nd December 2006.
- (4) Subsection (3) is subject to any provision made in regulations by virtue of subsection (5)(d).
- (5) The Scottish Ministers may by regulations make provision—
 - (a) as to the nature and method of monitoring and analysis to be carried out (whether by SEPA or by other persons) for the purpose of subsection (1)(a),
 - (b) requiring persons other than SEPA to carry out such monitoring and analysis,

Status: This is the original version (as it was originally enacted).

- (c) as to the times at or by which, and the circumstances in which, such monitoring and analysis is to be carried out,
 - (d) for monitoring in accordance with the monitoring programme to be commenced in relation to such protected areas (within the meaning of section 7(3)) or descriptions of protected area as are specified in the regulations by such date (other than that specified in subsection (3)) as is specified in or determined under the regulations,
 - (e) as to the provision to SEPA of information resulting from such monitoring and analysis carried out by persons other than SEPA,
 - (f) as to the form and content of a monitoring programme,
 - (g) as to consultation and other procedure in connection with the preparation of a monitoring programme.
- (6) The Scottish Ministers may issue guidance to SEPA or any other person on any matter in relation to which they have power to make regulations under subsection (5); and SEPA or, as the case may be, that person must have regard to the guidance.
- (7) Subsection (6) is without prejudice to section 2(6).
- (8) In this section “relevant territorial water” means so much of the territorial sea of the United Kingdom adjacent to Scotland as is not coastal water or transitional water.