



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

9 Environmental objectives and programmes of measures

- (1) For the purposes of the river basin management plan for a river basin district SEPA must—
 - (a) set environmental objectives for
 - [^{F1}(i) each body of water in the district, and]
 - [^{F2}(ii) each shellfish water protected area in the district, and]
 - (b) prepare a programme of measures to be applied to achieve those objectives.
- (2) In setting environmental objectives and preparing a programme of measures under this section, SEPA must take account of the characterisation of the river basin district concerned (and any review of it) carried out under section 5.
- (3) Environmental objectives may be set so as to apply with modifications in relation to particular descriptions of bodies of water or in particular circumstances.
- (4) The Scottish Ministers may by regulations make further provision as to the setting of environmental objectives and the preparation of programmes of measures under this section.
- (5) Regulations under subsection (4) making provision as to the setting of environmental objectives under this section may, in particular, include provision as to—

Changes to legislation: Water Environment and Water Services (Scotland) Act 2003, Section 9 is up to date with all changes known to be in force on or before 23 January 2024. 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. (See end of Document for details) View outstanding changes

- (a) the types of environmental objective which may be set for particular descriptions of body of water,
 - (b) the date by which and the criteria by reference to which such objectives are to be set,
 - (c) the methods and procedures to be followed in setting such objectives,
 - (d) the dates by which such objectives are to be achieved,
 - (e) particular descriptions of bodies of water in relation to which, or particular circumstances in which, such objectives are to apply with modifications.
- (6) Regulations under subsection (4) making provision as to the preparation of programmes of measures under this section may, in particular, include provision as to—
- (a) the types of measures which must or may be included in such a programme,
 - (b) the date by which such a programme is to be prepared,
 - (c) the methods and procedures to be followed in preparing such a programme.
- (7) In this section, “environmental objectives” means the objectives required to comply with Article 4 of the Directive together with any objectives
- [^{F3}(a) in respect of any body of water][^{F4}, and
 - (b) in respect of a shellfish water protected area, includes (without prejudice to the definition in paragraph (a)) such objectives as SEPA considers necessary or desirable to improve or protect that area in order to support shellfish life and growth and to contribute to the high quality of shellfish products suitable for human consumption.]

required to comply with paragraphs 2 and 3 of Article 7 of the Directive.

Textual Amendments

- F1** Words in s. 9(1)(a) renumbered as s. 9(1)(a)(i) (16.9.2013) by [Aquaculture and Fisheries \(Scotland\) Act 2013 \(asp 7\)](#), **ss. 54(4)(a)(i)**, 66(2) (with s. 65); S.S.I. 2013/249, art. 2
- F2** S. 9(1)(a)(ii) inserted (16.9.2013) by [Aquaculture and Fisheries \(Scotland\) Act 2013 \(asp 7\)](#), **ss. 54(4)(a)(ii)**, 66(2) (with s. 65); S.S.I. 2013/249, art. 2
- F3** S. 9(7)(a) inserted (16.9.2013) by [Aquaculture and Fisheries \(Scotland\) Act 2013 \(asp 7\)](#), **ss. 54(4)(b)(i)**, 66(2) (with s. 65); S.S.I. 2013/249, art. 2
- F4** S. 9(7)(b) and preceding word inserted (16.9.2013) by [Aquaculture and Fisheries \(Scotland\) Act 2013 \(asp 7\)](#), **ss. 54(4)(b)(ii)**, 66(2) (with s. 65); S.S.I. 2013/249, art. 2

Commencement Information

- I1** S. 9 in force at 1.6.2005 by [S.S.I. 2005/235](#), **art. 2(a)**

Changes to legislation:

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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\(6\)\(b\)](#)