

# **WATER RESOURCES (SCOTLAND) ACT 2013**

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## **EXPLANATORY NOTES**

### **THE ACT – SECTION BY SECTION**

#### **Part 4 – Raw Water Quality**

##### ***Section 30 – Steps for sake of quality***

46. This section inserts a new Part VIB into the 1980 Act. The new Part gives Scottish Water powers of entry to premises (other than a house) for the purposes of assessing or monitoring the quality of raw water, and investigating or isolating anything that appears to be affecting, or may affect, the quality of such water.

47. “Raw water” is defined by new section 76M(5) of the 1980 Act. It means water contained in (and flowing or draining into) any body of water:

(a) identified by an order made under section 6(1) (identification of bodies of water used for the abstraction of drinking water) of the 2003 Act; or

(b) specified by an order made under new section 76R(1) of the 1980 Act.

Essentially, raw water is water in the water environment that is intended to be abstracted and used for human consumption, excluding certain private water supplies (see new section 76M(6) of the 1980 Act).

48. Scottish Water must give at least 24 hours’ notice of the intended entry to the occupier (if any) of the premises and, if entry is refused, the taking of steps at the premises is obstructed (or refusal or obstruction is reasonably anticipated), or the premises are unoccupied, Scottish Water can apply to the sheriff for a warrant authorising entry.

49. It is an offence under new section 76Q of the 1980 Act to intentionally obstruct a person approved by Scottish Water under new section 76O of that Act in exercise of the authority to enter premises conferred by a warrant.