



# Water Resources (Scotland) Act 2013

## 2013 asp 5

### PART 1

#### DEVELOPMENT OF WATER RESOURCES

#### 1 Duty of the Scottish Ministers

- (1) The Scottish Ministers must—
  - (a) take such reasonable steps as they consider appropriate for the purpose of ensuring the development of the value of Scotland's water resources,
  - (b) do so in ways designed to promote the sustainable use of the resources.
- (2) In fulfilling the duty under subsection (1), the Scottish Ministers are to act so far as is consistent with the proper exercise of their—
  - (a) functions under the 2003 Act and the 2009 Act,
  - (b) other functions (whether or not relating to water resources or environmental matters).
- (3) In subsection (1), the reference to the value of water resources—
  - (a) means the value of the resources on any basis (including their monetary or non-monetary worth),
  - (b) extends to the economic, social, environmental or other benefit deriving from the use of the resources (or any activities in relation to them).
- (4) In this section—

“the 2009 Act” means the Climate Change (Scotland) Act 2009,

“water resources” means wetland, inland water and transitional water as defined by section 3 of the 2003 Act.

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#### Commencement Information

**II** [S. 1](#) in force at 10.6.2013 by [S.S.I. 2013/163](#), [art. 3](#), [Sch.](#)

*Status: Point in time view as at 10/06/2013.*

*Changes to legislation: There are currently no known outstanding effects for the Water Resources (Scotland) Act 2013, PART 1. (See end of Document for details)*

## 2 Involvement of public bodies

- (1) For the purpose of securing its participation in development of the kind mentioned in section 1(1), the Scottish Ministers may give a designated body directions as to the exercise of its functions.
- (2) Directions under subsection (1) may be—
  - (a) of a general or specific character,
  - (b) for collective or individual application.
- (3) Before giving directions under subsection (1), the Scottish Ministers are to consult each body to which they would apply.
- (4) A body must comply with directions under subsection (1) applying to it.
- (5) Directions under subsection (1) may vary or revoke earlier such directions.
- (6) This section is without prejudice to any other enactment providing for the Scottish Ministers to give directions to a designated body.

### Commencement Information

**I2** S. 2 in force at 10.6.2013 by [S.S.I. 2013/163](#), art. 3, [Sch.](#)

## 3 Designation of bodies

- (1) In section 2, the references to a designated body are to any of the following—
  - (a) Scottish Water,
  - (b) the Scottish Environment Protection Agency,
  - (c) Scottish Natural Heritage,
  - (d) Scottish Enterprise,
  - (e) Highlands and Islands Enterprise.
- (2) The Scottish Ministers may by regulations modify the list in subsection (1) by—
  - (a) adding a public body,
  - (b) updating or removing an entry.
- (3) Before making regulations under subsection (2), the Scottish Ministers are to consult each body to which the modification would relate.
- (4) Regulations under subsection (2) are subject to the negative procedure.

### Commencement Information

**I3** S. 3 in force at 10.6.2013 by [S.S.I. 2013/163](#), art. 3, [Sch.](#)

## 4 Reports on steps taken

- (1) The Scottish Ministers—
  - (a) for each successive period of 12 months within the 3 years beginning with the date on which section 1(1) comes into force, must prepare an annual report on

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- how (and the extent to which) they have fulfilled the duty under that section during the relevant period,
- (b) from time to time as they consider appropriate, may prepare a further report on how (and the extent to which) they have fulfilled the duty under section 1(1) during any subsequent period of at least 3 years.
- (2) A report may include such additional information as the Scottish Ministers consider appropriate.
- (3) A report is to be laid before the Scottish Parliament as soon as reasonably practicable after the end of the period to which the report relates.

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**Commencement Information**

**I4** [S. 4](#) in force at 10.6.2013 by [S.S.I. 2013/163](#), [art. 3](#), [Sch.](#)

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Water Resources (Scotland) Act 2013, PART 1.