
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 81

The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017

PART 3

Protected areas

Bodies of water used for the abstraction of drinking water

8.—(1) The Department and the water undertaker, acting jointly, must identify any body of water (a “drinking water protected area”) within the river basin district and the part of each international river basin district falling within Northern Ireland which—

- (a) is used for the abstraction of water intended for human consumption and either—
 - (i) provides more than 10 cubic metres of water per day as an average; or
 - (ii) serves more than 50 persons; or
- (b) is intended to be used for the future abstraction of water intended for human consumption to the extent referred to in sub-paragraph (a)(i) or (ii).

(2) For each drinking water protected area, the programme of measures for the river basin district and the part of each international river basin district falling within Northern Ireland within which the body of water is located must include measures with the aim of avoiding deterioration in the quality of the water in that area, in order to reduce the level of purification treatment required in the production of drinking water abstracted from it.

(3) In this regulation and regulation 11, “water intended for human consumption” has the same meaning as in Council [Directive 98/83/EC](#) on the quality of water intended for human consumption, as amended⁽¹⁾.

Designation of shellfish waters

9.—(1) The Department may designate an area of coastal or transitional water within the river basin district and the part of each international river basin district falling within Northern Ireland, as a shellfish water protected area by including it in the relevant list.

(2) An area may not be included in the relevant list unless the Department considers it necessary or desirable to do so for the protection or development of economically significant shellfish production.

(3) In relation to a shellfish water protected area in a river basin district which is wholly in Northern Ireland, the relevant list is the list entitled Shellfish Waters (Northern Ireland) 2017 and dated 27th April 2017.

(4) In relation to a shellfish water protected area in the part of each international river basin district falling within Northern Ireland, the relevant list is the list entitled Shellfish Waters (Northern Ireland – International River Basin District) 2017 and dated 27th April 2017.

(1) O.J. L330, 5.12.98, p.32

- (5) The Department must periodically review and, where appropriate, revise designations made in accordance with paragraph (1).
- (6) A review and any revision must be done—
 - (a) by 22nd December 2021; and
 - (b) subsequently, by 22nd December of the sixth year following that date and of each sixth year following that.
- (7) The Department must—
 - (a) publish the relevant list on its website; and
 - (b) make the relevant list available to the public at its principal offices.

Register of protected areas

10.—(1) The Department must, for the river basin district and the part of each international river basin district falling within Northern Ireland, maintain, review and keep up to date a register of the protected areas lying (whether wholly or partly) within the district.

- (2) The register must include the following protected areas—
 - (a) a drinking water protected area;
 - (b) an area or body of water for the time being designated or otherwise identified as requiring special protection in accordance with any EU instrument providing for the protection of surface water and groundwater or for the conservation of habitats or species directly depending on water, or any enactment implementing such an EU instrument, including, in particular—
 - (i) areas designated for the protection of economically significant aquatic species (including shellfish water protected areas);
 - (ii) bodies of water designated as recreational waters;
 - (iii) nutrient-sensitive areas; and
 - (iv) areas designated for the protection of habitats or species where the maintenance or improvement of the status of water is an important factor in the protection of the habitats or species.