

SCHEDULE 4

Regulation 38

Consequential amendments

The Water Framework Directive (Classification, Priority Substances and Shellfish Waters) Regulations (Northern Ireland) 2015

1.—(1) The Water Framework Directive (Classification, Priority Substances and Shellfish Waters) Regulations (Northern Ireland) 2015(1) are amended in accordance with paragraphs (2) to (7).

(2) In regulation 2(1)—

(a) omit the definition of “the 2003 Regulations”;

(b) before the definition of “biological boundary value” insert—

““the 2017 Regulations” means the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017;”;

(c) in the definition of “river basin district” for “the 2003 Regulations” wherever it appears substitute “the 2017 Regulations”;

(d) for the definition of “river basin management plan” substitute—

““river basin management plan” has the same meaning as in the 2017 Regulations;”;

(e) for the definition of “shellfish waters” substitute—

““shellfish waters” means a shellfish water protected area designated in accordance with regulation 9 of the 2017 Regulations;”;

(3) In regulation 2(2) for “the 2003 Regulations” substitute “the 2017 Regulations”.

(4) For regulation 3(2) substitute—

“(2) The functions listed in paragraph (1) are

(a) analysis and review of the characterisation of each river basin district in accordance with regulation 5(2) of the 2017 Regulations;

(b) monitoring of the status of the water environment in each river basin district in accordance with regulation 11 of the 2017 Regulations;

(c) setting of environmental objectives for each body of surface water in each river basin district in accordance with regulation 12(1)(a) of the 2017 Regulations;

(d) preparing programmes of measures to achieve those objectives in accordance with regulation 12(1)(b) of the 2017 Regulations.”.

(5) In regulation 20(1) for “regulation 5 of the 2003 Regulations” substitute “regulation 6 of the 2017 Regulations”.

(6) In regulation 21(1) for “regulation 5 of the 2003 Regulations” substitute “regulation 6 of the 2017 Regulations”.

(7) In regulation 21(2) for “regulation 5 of the 2003 Regulations” substitute “regulation 6 of the 2017 Regulations”.

The Water Environment (Floods Directive) Regulations (Northern Ireland) 2009

2.—(1) The Water Environment (Floods Directive) Regulations (Northern Ireland) 2009(2) are amended in accordance with paragraphs (2) to (5).

(1) [S.R. 2015 No.351](#)

(2) [S.R. 2009 No.376](#)

(2) In regulation 2(2)—

(a) omit the definition of “the 2003 Regulations”;

(b) before the definition of “the Department” insert—

““the 2017 Regulations” means the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017;”;

(c) for the definition of “international river basin district” substitute—

““international river basin district” has the same meaning as in the 2017 Regulations;”.

(d) for the definition of “river basin district” substitute—

““river basin district” has the same meaning as in the 2017 Regulations;”.

(3) For regulation 15 (Flood hazard maps and flood risk: co-ordination with the 2003 Regulations) substitute—

“Flood hazard maps and flood risk maps: co-ordination with the 2017 Regulations

15.—(1) The development of the first flood hazard maps and flood risk maps and their subsequent reviews shall be—

(a) co-ordinated with, and may be integrated into, the reviews required by regulations 5(2) and 7(2) of the 2017 Regulations; and

(b) carried out in such a way that the information they contain is consistent with the information provided under the 2017 Regulations.”.

(4) For regulation 18 (Flood risk management plans: co-ordination with the 2003 Regulations) substitute—

“Flood risk management plans: co-ordination with the 2017 Regulations

18.—(1) The development of the first flood risk management plans and their subsequent reviews shall be co-ordinated with, and may be integrated into, the reviews of the river basin management plans required by regulation 26 of the 2017 Regulations.

(2) The active involvement of the parties and bodies listed in regulation 19(4) in the development of the first flood risk management plans and their subsequent reviews shall be co-ordinated, as appropriate, with the active involvement of the persons listed in regulation 27(6) of the 2017 Regulations.”.

(5) In Part 1 of Schedule 3—

(a) in paragraph 4(e) for “the 2003 Regulations” substitute “the 2017 Regulations”;

(b) in paragraph 8 for “the 2003 Regulations” substitute “the 2017 Regulations”.

The Marine Strategy Regulations 2010

3. In Schedule 2 to the Marine Strategy Regulations(3), for the “the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2003” substitute “the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017”.

(3) [S.I. 2010/1627](#), to which there are amendments not relevant to these Regulations

The Groundwater Regulations (Northern Ireland) 2009

4.—(1) The Groundwater Regulations (Northern Ireland) 2009⁽⁴⁾ are amended in accordance with paragraphs (2) to (10).

(2) In regulation 2(1)—

(a) before the definition of “the Appeals Commission” insert—

““the 2017 Regulations” means the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017;”;

(b) for the definition of “baseline level” substitute—

““baseline level” means the average value measured at least during the reference years 2007 and 2008 on the basis of monitoring in accordance with a programme prepared under regulation 11 of the 2017 Regulations;”;

(c) for the definition of “river basin district and international river basin districts” substitute—

““river basin district and international river basin districts” mean—

(a) an area identified by regulation 4(1) of the 2017 Regulations, being the main unit for the management of river basins for the purposes of the Water Framework Directive and being made up of a river basin or neighbouring river basins, together with associated groundwater, transitional waters and coastal water;

(b) the North Eastern River Basin District; or

(c) the Neagh Bann, North Western and Shannon International River Basin Districts;”.

(3) In regulations 9(2) and 9(3) for “subparagraph” substitute “paragraph”.

(4) In regulations 10(1), 10(3), 10(7), 10(8), 11(1) and 23(2) for “sub-paragraph” substitute “paragraph”.

(5) For regulation 10(4) substitute—

“(4) The sources mentioned in paragraph (3) are—

(a) the monitoring programmes for groundwater—

(i) established under the provisions specified in regulation 11 of the 2017 Regulations; and

(ii) designed in accordance with the requirements of those provisions and paragraphs 1 and 2(a) and (b) of Part A of Annex IV to the Directive; and

(b) for the purposes of identifying trends for the first river basin management plan, any data deemed relevant by the Department and gathered before the start of the monitoring programmes under sub-paragraph (4)(a).”.

(6) Omit regulation 10(9).

(7) For regulation 11(2) substitute—

“(2) The provision specified in this paragraph is regulation 26 of the 2017 Regulations.”.

(8) For regulation 14(2) substitute—

“(2) Each programme of measures established under regulation 12 of the 2017 Regulations must include measures to prevent the input of hazardous substances into groundwater.”.

(9) For regulation 15(2) substitute

(4) [S.R. 2009 No.254](#)

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

“(2) Each programme of measures established under regulation 12 of the 2017 Regulations must include measures to limit the input of non-hazardous pollutants into groundwater.”.

(10) In regulation 19(2) for “Sub paragraph” substitute “paragraph”.

The Quality of Bathing Waters (Northern Ireland) Regulations 2008

5. In regulation 2(2) of the Quality of Bathing Waters (Northern Ireland) Regulations 2008⁽⁵⁾ for the definition of “Water Framework Regulations” substitute—

““Water Framework Regulations” means the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017.”.

The Chemical Analysis of Water Status (Technical Specifications) Regulations (Northern Ireland) 2011

6.—(1) The Chemical Analysis of Water Status (Technical Specifications) Regulations (Northern Ireland) 2011⁽⁶⁾ are amended in accordance with paragraphs (2) and (3).

(2) In regulation 2(1)—

(a) omit the definition of “the 2003 Regulations”;

(b) for the definition of “protected area” insert—

““protected area” has the same meaning as in regulation 10(2) of the 2017 Regulations;”;

(c) for the definition of “river basin district and international river basin districts” substitute—

““river basin district” and “international river basin districts” have the same meaning as in regulation 2(1) of the 2017 Regulations;”;

(d) after the definition of “river basin district and international river basin districts” insert—

““the 2017 Regulations” means the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017;”.

(3) In regulations 3 and 7 for “regulation 9 of the 2003 Regulations” substitute “regulation 11 of the 2017 Regulations”.

⁽⁵⁾ S.R. 2008 No.231

⁽⁶⁾ S.R. 2011 No.238