
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Public Water Supplies (Scotland) Regulations 2014 (“the 2014 Regulations”) to implement partially Directive (EU) 2020/2184 of the European Parliament and of the Council on the quality of water intended for human consumption (“the Directive”), to address deficiencies arising from the withdrawal of the United Kingdom from the European Union and to make some further minor amendments.

Regulation 3 amends the definitions of “parameter”, “prescribed concentration or value” and “water quality standards” in regulation 2 of the 2014 Regulations.

Regulation 4 amends regulation 6 of the 2014 Regulations to provide that Scottish Water may remove a parameter from a monitoring programme.

Regulation 6 amends the provision on sampling in relation to water supplied by tankers in regulation 13 of the 2014 Regulations and also disapplies it in relation to mobile tankers. Regulation 7 makes new provision for sampling in relation to water supplied by mobile tanker.

Regulation 9 and 13 transfer functions in relation to authorisation of temporary supply of water that is not wholesome from the Scottish Association of Citizens Advice Bureaux to Consumer Scotland which was established under section 1 of the Consumer (Scotland) Act 2020.

Regulations 10, 11 and 12 amend the 2014 Regulations to omit references to the process whereby the European Commission could grant a third temporary departure from the requirements of the 2014 Regulations.

Regulation 14 amends regulation 31 of the 2014 Regulations to remove the functions in relation to risk assessment procedures from the Scottish Ministers and to transfer those functions to the Drinking Water Quality Regulator for Scotland.

Regulation 15 amends regulation 33 of the 2014 Regulations to omit requirements applicable to products and substances that may be applied to or introduced into water intended for human consumption which no longer operate effectively following the withdrawal of the UK from the European Union.

Regulation 16 amends schedule 1 of the 2014 Regulations to replace Table B and Table C (and the notes to those tables) with new tables containing the water quality standards of the Directive. Regulations 5 and 8 make minor amendments that are required as a result of the new numbering of chemical parameters in Table B.

Regulation 17 amends schedule 1A of the 2014 Regulations to introduce the requirement that Scottish Water maintain an operational monitoring programme and to revise the conditions on which the Scottish Water may deviate from the minimum monitoring requirements (pursuant to Article 9(4) of the Directive).

Regulation 18 amends schedule 3 of the 2014 Regulations to replace Table 1 of that schedule with a new table that contains the minimum performance characteristics of the Directive.

A Business Regulatory Impact Assessment has been prepared for these Regulations. A copy of this may be obtained from the Scottish Government, Victoria Quay, Leith, Edinburgh EH6 6QQ and online at www.legislation.gov.uk.