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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 323**

**The Water Environment (River Basin Management Planning: Further Provision) (Scotland) Regulations 2013**

**PART 1**

**CITATION, COMMENCEMENT AND GENERAL INTERPRETATION**

**Citation and commencement**

1. These Regulations may be cited as the Water Environment (River Basin Management Planning: Further Provision) (Scotland) Regulations 2013 and come into force on 22nd December 2013.

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Water Environment and Water Services (Scotland) Act 2003;

“artificial or heavily modified body of surface water” means a body of surface water designated as artificial or heavily modified in accordance with regulation 4;

[<sup>F1</sup>“assimilated law” has the meaning given by section 6(7) of the European Union (Withdrawal) Act 2018];

“body of surface water” has the meaning given in section 28 of the Act;

“environmental objective” means an objective set under section 9(1)(a)(i) of the Act;

[<sup>F2</sup>“the Groundwater Directive” means Directive [2006/118/EC](#) of the European Parliament and of the Council on the protection of groundwater against pollution and deterioration, as amended by Commission Directive 2014/80/EU,]

“hazardous substance” has meaning given in regulation 2(1) of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 <sup>M1</sup>;

“pollutant” has the meaning given in regulation 2(1) of the Water Environment (Controlled Activities) (Scotland) Regulations 2011;

[<sup>F3</sup>“the Priority Substances Directive” means Directive [2008/105/EC](#) of the European Parliament and of the Council on environmental quality standards in the field of water policy, amending and subsequently repealing Council Directives [82/176/EEC](#), [83/513/EEC](#), [84/156/EEC](#), [84/491/EEC](#), [86/280/EEC](#) and amending Directive [2000/60/EC](#) of the European Parliament and of the Council, as amended by Directive 2013/39/EU of the European Parliament and of the Council,]

“programme of measures” means a programme prepared under section 9(1)(b) of the Act;

<sup>F4</sup>  
...

“river basin district” means an area designated as such by order under section 4(1) of the Act;

“river basin management plan” means such a plan approved by the Scottish Ministers under section 13 of the Act (including that section as applied by section 14(4));

“SEPA” means the Scottish Environment Protection Agency;

“water environment” has the meaning given in section 3 of the Act; and

[<sup>F5</sup>“the Water Framework Directive” means [Directive 2000/60/EC](#) of the European Parliament and of the Council establishing a framework for Community action in the field of water policy as last amended by Commission Directive 2014/101/EU.]

(2) Unless the context otherwise requires, any other word or expression which is used in both these Regulations and the Water Framework Directive (and which is not otherwise defined in these Regulations or in Part 1 of the Act) has the meaning given in that Directive.

[<sup>F6</sup>(3) For the purposes of these Regulations—

- (a) the Water Framework Directive is to be interpreted in accordance with Part 1 (the Directive) of schedule 5 (interpretation of Directives for the purposes of Part 1) of the Act,
- (b) the Groundwater Directive is to be interpreted in accordance with Part 2 (the Groundwater Directive) of schedule 5 of the Act,
- (c) the Priority Substances Directive is to be interpreted in accordance with Part 3 (the Priority Substances Directive) of schedule 5 of the Act.

(4) For the purposes of paragraph (3), schedule 5 of the Act is to be read as if—

- (a) references to “the Directive” are to “the Water Framework Directive”,
- (b) references to “Part 1 of this Act” are to “these Regulations”.]

#### Textual Amendments

- F1** Words in [reg. 2\(1\)](#) inserted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendments\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/374\)](#), [reg. 1\(1\)](#), **sch. 2 para. 24(2)(a)**
- F2** Words in [reg. 2\(1\)](#) inserted (31.12.2020) by [The Environment \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2019 \(S.S.I. 2019/26\)](#), [regs. 1, 4\(2\)\(a\)\(i\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in [reg. 2\(1\)](#) inserted (31.12.2020) by [The Environment \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2019 \(S.S.I. 2019/26\)](#), [regs. 1, 4\(2\)\(a\)\(ii\)](#); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in [reg. 2\(1\)](#) omitted (1.1.2024) by virtue of [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendments\) \(Scotland\) Regulations 2023 \(S.S.I. 2023/374\)](#), [reg. 1\(1\)](#), **sch. 2 para. 24(2)(b)**
- F5** Words in [reg. 2\(1\)](#) substituted (14.9.2015) by [The Water Environment \(River Basin Management Planning etc.\) \(Miscellaneous Amendments\) \(Scotland\) Regulations 2015 \(S.S.I. 2015/211\)](#), [regs. 1\(2\), 2\(a\)](#)
- F6** [Reg. 2\(3\)\(4\)](#) inserted (31.12.2020) by [The Environment \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2019 \(S.S.I. 2019/26\)](#), [regs. 1, 4\(2\)\(b\)](#); 2020 c. 1, Sch. 5 para. 1(1)

#### Marginal Citations

- M1** [S.S.I. 2011/209](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Water Environment (River Basin Management Planning: Further Provision) (Scotland) Regulations 2013, PART 1.