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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 325**

**The Water Environment (Shellfish Water Protected Areas:  
Environmental Objectives etc.) (Scotland) Regulations 2013**

**Environmental objectives: natural cause or force majeure**

6. For the purposes of these Regulations and Part 1 of the Act (in particular section 9(7)(b)), a temporary deterioration in the shellfish water quality of a shellfish water protected area is not a breach of the environmental objectives set pursuant to regulation 3 if the deterioration is the result of circumstances of natural cause or force majeure which are exceptional or could not reasonably have been foreseen, or the result of circumstances due to accidents which could not reasonably have been foreseen, and the following conditions are met—

- (a) all practicable steps are taken—
  - (i) to prevent further deterioration in shellfish water quality of the area; and
  - (ii) so as not to compromise the achievement of the objectives set under section 9(1)(a)(i) of the Act for any body of water not affected by the circumstances;
- (b) all practicable measures are taken with the aim of restoring the area to the shellfish water quality it had before the effects of the circumstances as soon as reasonably practicable; and
- (c) a summary of the effects of the circumstances and of such measures taken or to be taken in accordance with paragraphs (a) and (b) are included in the next update of the river basin management plan.