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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

**The Floods and Water (Amendment  
etc.) (EU Exit) Regulations 2019**

**PART 4**

**Amendment and revocation of EU decisions**

**Commission Implementing [Decision 2011/321/EU](#)**

**23.** In Commission Implementing [Decision 2011/321/EU](#) establishing, pursuant to [Directive 2006/7/EC](#) of the European Parliament and of the Council, a symbol for information to the public on bathing water classification and any bathing prohibition or advice against bathing, omit Article 2.

**Commission Decision (EU) 2017/1583**

**24.**—(1) Commission Decision (EU) 2017/1583 specifying, pursuant to [Directive 2006/7/EC](#) of the European Parliament and of the Council, EN ISO 17994:2014 as the standard on the equivalence of microbiological methods is amended as follows.

(2) In Article 1—

- (a) the existing text becomes paragraph 1;
- (b) after paragraph 1 insert—

“**2.** The reference in paragraph 1 to Article 3(9) of [Directive 2006/7/EC](#), is to be read as if any requirements imposed or discretion conferred by that provision on a member State were imposed or conferred on the relevant person.

**3.** In this Article, “relevant person” means—

- (a) in relation to England, the Environment Agency;
- (b) in relation to Wales, the Natural Resources Body for Wales;
- (c) in relation to Scotland, the Scottish Environment Protection Agency;
- (d) in relation to Northern Ireland, the Department for Agriculture, Environment and Rural Affairs.”.

(3) Omit Articles 2 and 3.

**Commission Decision (EU) 2018/229**

**25.**—(1) Commission Decision (EU) 2018/229 establishing, pursuant to [Directive 2000/60/EC](#) of the European Parliament and of the Council, the values of the Member State monitoring system classifications as a result of the intercalibration exercise is amended as follows.

(2) In Article 1—

- (a) in paragraph 1, for “Member States shall use in their” substitute “the relevant person must use in its”;

- (b) in paragraph 2—
  - (i) for “Member States shall” substitute “the relevant person must”;
  - (ii) for “use in their” substitute “use in its”;
- (c) in paragraph 3, for “Member States” substitute “The relevant person”;
- (d) after paragraph 3 insert—
  - “4. In this Article—
    - (a) “relevant person” means—
      - (i) in relation to England and the Northumbria River Basin District, the Environment Agency (“the EA”) (subject to points (iii) and (v));
      - (ii) in relation to Wales, the Natural Resources Body for Wales (“NRW”) (subject to point (iii));
      - (iii) in relation to a river basin district which is partly in England and partly in Wales, the EA and NRW acting jointly;
      - (iv) in relation to Scotland, the Scottish Ministers (subject to point (v));
      - (v) in relation to the Solway Tweed River Basin District, the EA and the Scottish Environment Protection Agency acting jointly;
      - (vi) in relation to Northern Ireland, the Department for Agriculture, Environment and Rural Affairs;
    - (b) references to Article 4(3) of, and Section 1.4.1(iii) of Annex 5 to, [Directive 2000/60/EC](#) are to be read as if any requirements imposed or discretion conferred by those provisions on a member State were imposed or conferred on the relevant person.”;
- (e) omit Articles 2 and 3.

#### **Commission Implementing [Decision 2018/840/EU](#)**

**26.** In Commission Implementing [Decision 2018/840/EU](#) establishing a watch list of substances for Union-wide monitoring in the field of water policy pursuant to [Directive 2008/105/EC](#) of the European Parliament and of the Council—

- (a) in Article 1, omit “for Union-wide”;
- (b) omit Articles 2 and 3;
- (c) in the heading of the Annex, omit “Union-wide”.

#### **Revocations and removal of EEA references**

**27.** The following retained direct EU legislation is revoked and any reference to that legislation in Annex 20 to the EEA agreement is to be omitted—

- (a) Decision No [2455/2001/EC](#) of the European Parliament and of the Council establishing the list of priority substances in the field of water policy;
- (b) Commission [Decision 2005/646/EC](#) on the establishment of a register of sites to form the intercalibration network in accordance with [Directive 2000/60/EC](#) of the European Parliament and of the Council;
- (c) Commission Implementing [Decision 2014/431/EU](#) concerning formats for reporting on the national programmes for the implementation of Council [Directive 91/271/EEC](#).