

SCHEDULE 1

Amendment of Titles 1 To 15

PART 7

Amendment of Title 7: Authorisation

Chapter 2 of Title 7

48.—(1) Article 61 is amended as follows.

(2) In paragraph 1—

- (a) for “Commission” substitute “Secretary of State”;
- (b) after the fifth subparagraph, insert—

“The function of deciding under this paragraph whether to amend or withdraw the authorisation is subject to the consent requirement in Article 4A.”.

(3) In paragraph 2—

- (a) in the second subparagraph, for “Commission” substitute “Secretary of State”;
- (b) after the second subparagraph, insert—

“Any of the other appropriate authorities may request the Secretary of State to carry out a review of an authorisation under this paragraph.”.

(4) In paragraph 3—

- (a) for “Commission”, in each place it occurs, substitute “Secretary of State”;
- (b) after the second subparagraph, insert—

“Where the Secretary of State is carrying out a review of an authorisation under this paragraph, any of the other appropriate authorities may request the Secretary of State to suspend the authorisation while the review is being carried out.

The function of deciding under the first subparagraph whether to amend or withdraw the authorisation, and the function of deciding under the second subparagraph whether to suspend the authorisation, are subject to the consent requirement in Article 4A.”.

(5) In paragraph 4, omit “referred to in [Directive 96/61/EC](#)”.

(6) In paragraph 5—

- (a) after “If the” insert “river basin”;
- (b) omit “as referred to in Article 4(1) of [Directive 2000/60/EC](#)”.

(7) In paragraph 6, for “Commission” substitute “Secretary of State”.

(8) After paragraph 6, insert—

“7. In this Article—

- (a) “environmental quality standard” means the set of requirements which must be fulfilled at a given time in relation to a given environment or particular part thereof, as set out in retained EU law;

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- (b) “river basin district in Northern Ireland” means a river basin district as defined by the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017(1);
- (c) “river basin district in Scotland” means an area designated as a river basin district by order under section 4(1) of the Water Environment and Water Services (Scotland) Act 2003(2);
- (d) “river basin environmental objectives” means—
 - (i) in relation to the Northumbria River Basin District, the environmental objectives referred to in the WFD Regulations as applied by regulation 5 of the Water Environment (Water Framework Directive) (Northumbria River Basin District) Regulations 2003(3);
 - (ii) in relation to the Solway Tweed River Basin District, the environmental objectives as defined in regulation 2 of the Water Environment (Water Framework Directive) (Solway Tweed River Basin District) Regulations 2004(4);
 - (iii) in relation to any other river basin district within the meaning of the WFD Regulations, the environmental objectives referred to in those Regulations;
 - (iv) in relation to a river basin district in Scotland, the environmental objectives set under section 9(1)(a)(5) of the Water Environment and Water Services (Scotland) Act 2003;
 - (v) in relation to a river basin district in Northern Ireland, the environmental objectives set under regulation 12, in accordance with regulation 13, of the Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017; and
- (e) “the WFD Regulations” means the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017(6).”.

(1) S.I. 2017/81.

(2) 2003 asp 3.

(3) S.I. 2003/3245, amended by S.I. 2016/139, 2017/407; there are other amending instruments but none is relevant.

(4) S.I. 2004/99, amended by S.I. 2016/139; there are other amending instruments but none is relevant.

(5) Section 9(1)(a) was amended by section 54(4)(a) of the Aquaculture and Fisheries (Scotland) Act 2013 (asp 7). Section 9 was applied with modifications by S.I. 2003/3245 and 2004/99.

(6) S.I. 2017/407, to which there are amendments not relevant to these Regulations.