
STATUTORY INSTRUMENTS

1998 No. 250

**The Surface Waters (Dangerous Substances)
(Classification) (Scotland) Regulations 1998**

Citation, commencement and extent

1. These Regulations may be cited as the Surface Waters (Dangerous Substances) (Classification) (Scotland) Regulations 1998 shall come into force on 1st April 1998, and shall extend to Scotland only.

Classification of inland waters

2. The classification DS4 and the criteria for that classification set out in Schedule 1 to these Regulations shall apply for classifying inland waters⁽¹⁾ with a view to reducing the pollution of those waters by the dangerous substances listed in that Schedule.

Classification of coastal waters and relevant territorial waters

3. The classification DS5 and the criteria for that classification set out in Schedule 2 to these Regulations shall apply for classifying coastal waters^(a) and relevant territorial waters^(a) with a view to reducing the pollution of those waters by the dangerous substances listed in that Schedule.

Sampling

4. The Scottish Environment Protection Agency shall ensure that waters classified under these Regulations are sampled at such sampling points and at such times, and samples are analysed in such manner, as the Agency considers necessary for—

- (a) monitoring the effect on those waters of discharges containing the dangerous substances in question; and
- (b) determining the extent to which those waters are polluted by those substances and whether the requirements for the relevant classification are satisfied.

Modification of section 30C of the Control of Pollution Act 1974

5. Section 30C of the Control of Pollution Act 1974⁽²⁾ (water quality objectives) shall have effect as if—

- (a) it imposed a duty on the Secretary of State to exercise his powers under that section to apply the classification DS4 to all inland waters and the classification DS5 to all coastal waters and relevant territorial waters and to specify 1st April 1998 as the relevant date in each case; and

(1) For the definition of “inland waters”, “coastal waters” and “relevant territorial waters” see section 30A(1) of the Control of Pollution Act 1974.

(2) 1974 c. 40: Section 30C was inserted by section 169 and paragraph 4 of Schedule 23 to the Water Act 1989 (c. 15) and was amended by section 120 and paragraph 29(2) and (4) of Schedule 22 to the Environment Act 1995 (c. 25).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) in relation to performance of that duty and the resulting water quality objectives, subsections (3) to (6) of that section (reviews and consultation requirements) were omitted.

St Andrew's House,
Edinburgh
27th January 1998

Sewel
Parliamentary Under Secretary of State, Scottish
Office