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STATUTORY INSTRUMENTS

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**2019 No. 558**

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

PART 2

Amendment of primary legislation

**Water Resources Act 1991**

4.—(1) The Water Resources Act 1991(1) is amended as follows.

(2) In section 93(2)—

- (a) in subsection (1B), for the words from “enabling” to “in relation to” substitute “achievement of”;
- (b) omit subsection (2C);
- (c) in subsection (7), at the appropriate places insert the following definitions—

““environmental objectives”—

- (a) in relation to the Solway Tweed River Basin District, means the objectives as defined in regulation 2 of the Water Environment (Water Framework Directive) (Solway Tweed River Basin District) Regulations 2004 (S.I. 2004/99);
- (b) in relation to the Northumbria River Basin District, means the objectives referred to in the WFD Regulations as applied and modified by regulation 5 of the Water Environment (Water Framework Directive) (Northumbria River Basin District) Regulations 2003 (S.I. 2003/3245);
- (c) in relation to any other river basin district, within the meaning of the WFD Regulations, has the same meaning as in those regulations;”;

““hydromorphological quality element” has the same meaning as in the Water Framework Directive;”;

““the WFD Regulations” means the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (S.I. 2017/407).”.

(3) In section 102(3)—

- (a) in the heading, at the end insert “etc.”;
- (b) in the words before paragraph (a), omit “enabling Her Majesty’s Government in the United Kingdom to give effect”;
- (c) for paragraph (a) substitute—
  - “(a) giving effect to any retained EU obligations, or”;

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(1) 1991 c. 57.

(2) Section 93 was amended by S.I. 2009/3104, 2013/755 (W. 90) and 2018/942.

(3) Section 102(a) was amended by S.I. 2011/1043.

- (d) at the beginning of paragraph (b) insert “enabling Her Majesty’s Government in the United Kingdom to give effect”.
- (4) In section 116(4)—
- (a) in the heading, at the end insert “etc.”;
- (b) in subsection (1)—
- (i) in the words before paragraph (a), omit “enabling Her Majesty’s Government in the United Kingdom to give effect”;
- (ii) for paragraph (a) substitute—
- “(a) giving effect to any retained EU obligations, or”;
- (iii) at the beginning of paragraph (b) insert “enabling Her Majesty’s Government in the United Kingdom to give effect”.
- (5) In each of sections 161ZA(5) and 161ZB(6) omit subsection (3).
- (6) In section 161ZC(7)—
- (a) in subsection (8), omit the words from “and in sections” to the end;
- (b) after subsection (8) insert—
- “(9) In sections 161ZA and 161ZB, “environmental objectives”, “hydromorphological quality element” and “Water Framework Directive” have the meanings given by section 93(7) of this Act.”.
- (7) In section 204(2)(k)(8), for “an EU obligation” substitute “a retained EU obligation”.

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(4) Section 116(1)(a) was amended by paragraph 22 of Schedule 16 to the Marine and Coastal Access Act 2009 (c. 23) and by S.I. 2011/1043 and 2013/755 (W. 90). Article 4 of S.I. 1999/1746 disapplied section 116 in relation to part of the River Esk.

(5) Section 161ZA(3) was inserted by S.I. 2009/3104 and amended by S.I. 2013/755 (W. 90).

(6) Section 161ZB(3) was inserted by S.I. 2009/3104 and amended by S.I. 2013/755 (W. 90).

(7) Section 161ZC(8) was inserted by S.I. 2009/3104.

(8) Section 204(2)(k) was amended by S.I. 2011/1043.