

EXPLANATORY NOTES

WATER ENVIRONMENT AND WATER SERVICES (SCOTLAND) ACT 2003

INTRODUCTION

BACKGROUND

THE ACT – AN OVERVIEW

PART 1 – PROTECTION OF THE WATER ENVIRONMENT

PART 2 – WATER AND SEWERAGE SERVICES

PART 3 – GENERAL

THE ACT – SECTION BY SECTION

PART 1 – PROTECTION OF THE WATER ENVIRONMENT

Section 1 – General purpose of Part 1

Section 2 - The general duties

Section 3 – The water environment: definitions

Section 4 – Establishment of river basin districts

Section 5 – Characterisation of river basin districts

Section 6 - Bodies of water used for the abstraction of drinking water

Section 7 – Register of protected areas

Section 8 – Monitoring

Section 9 – Environmental objectives and programmes of measures

Section 10 – River basin management plans

Section 11 – River basin management plans: publicity and consultation

Section 12 – River basin management plans: submission for approval

Section 13 – River basin management plans: approval

Section 14 – River basin management plans: review

Section 15 – Sub-basin plans

Section 16 – Duty to have regard to river basin management plans

Section 17 – River Basin District Advisory Groups

Section 18 – Power to obtain information and documents

Section 19 – General regulation-making power

Section 20 – Regulation of controlled activities

Section 21 - Controlled activities regulations: procedure

Section 22 – Remedial and restoration measures

Section 23 – Fixing of charges for water services

Section 24 - Planning permission :fish farming

Section 25 – Power to give effect to Community obligations etc.

Section 26 – Annual report on implementation of Directive

Section 27 – Availability of documents for public inspection

Section 28 – Interpretation of Part 1

PART 2 – WATER AND SEWERAGE SERVICES

Section 29 – Duty to provide water and sewerage services

Section 30 – Private sewers, SUD systems and sewage treatment works etc.: vesting, takeover and connection conditions

Section 31 – Laying of water mains and communication pipes by persons other than Scottish Water

Section 32 – Vesting in Scottish Water of waterworks and mains

Section 33 – Sustainable urban drainage systems

Section 34 – Modifications of Part III of the 1980 Act

PART 3 - GENERAL

Section 35 – Crown application

Section 36 – Orders and regulations

Section 37 – Ancillary provision

Section 38 – Commencement and short title

Schedules

Schedule 1 – Matters to be included in river basin management plans

These notes relate to the Water Environment and Water Services (Scotland) Act 2003 (asp 3)

Schedule 2 – Controlled activities regulations: particular purposes

Schedule 3 – Sustainable urban drainage systems: further amendments

Schedule 4 – Modifications of Part III of the 1980 Act

PARLIAMENTARY HISTORY OF WATER ENVIRONMENT AND WATER SERVICES (SCOTLAND) ACT 2003