

*These notes relate to the Water Environment and Water Services
(Scotland) Act 2003 (asp 3) which received Royal Assent on 5 March 2003*

WATER ENVIRONMENT AND WATER SERVICES (SCOTLAND) ACT 2003

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 1 – Protection of the water environment

Section 4 – Establishment of river basin districts

24. Subsection (1) places a duty on the Scottish Ministers to designate one or more river basin districts by order.
25. Subsection (2) makes it clear that river basin districts are to be made up of one or more river basins together with associated coastal and groundwater bodies. The smallest unit could be a single river basin although a district can, and is more likely to, comprise more than one river basin together with associated bodies of groundwater and coastal water. River basins and coastal and groundwater bodies are defined in section 28. “River basin” includes the transitional water at the mouth of the river.
26. Subsection (3) provides for the allocation to appropriate river basin districts of bodies of coastal water and bodies of groundwater that are not fully contained within the area of one river basin. The Scottish Ministers are to assign them to the nearest river basin district or, if another district appears more appropriate, to that one.
27. The order-making power in this section will enable the Scottish Ministers to implement Article 3(1) of the Directive.