



# Water Environment and Water Services (Scotland) Act 2003

## 2003 asp 3

### PART 1

#### PROTECTION OF THE WATER ENVIRONMENT

#### CHAPTER 1

#### PURPOSE, GENERAL DUTIES AND DEFINITIONS

#### 1 General purpose of Part 1

(1) The purpose of this Part is to make provision for or in connection with protection of the water environment, including making provision, and enabling provision to be made, for or in connection with implementing Directive [2000/60/EC](#) of the European Parliament and of the Council of 23rd October 2000 establishing a framework for Community action in the field of water policy [<sup>F1</sup>, as last amended by Commission Directive 2014/101/EU <sup>F2</sup>,] (referred to in this Part as “the Directive”).

[<sup>F3</sup>(1A) The reference in subsection (1) to [Directive 2000/60/EC](#) is to that Directive as amended by—

- (a) Decision No [2455/2001/EC](#) of the European Parliament and of the Council,
- (b) [Directive 2008/32/EC](#) of the European Parliament and of the Council,
- (c) [Directive 2008/105/EC](#) of the European Parliament and of the Council,
- (d) [Directive 2009/31/EC](#) of the European Parliament and of the Council,
- (e) Directive 2013/39/EU of the European Parliament and of the Council, and
- (f) Commission Directive 2014/101/EU.]

(2) In this Part “protection of the water environment” includes, in particular—

- (a) preventing further deterioration of, and protecting and enhancing, the status of aquatic ecosystems and, with regard to their water needs, terrestrial ecosystems and wetlands directly depending on those aquatic ecosystems,
- (b) promoting sustainable water use based on the long-term protection of available water resources,

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**Changes to legislation:** Water Environment and Water Services (Scotland) Act 2003, Section 1 is up to date with all changes known to be in force on or before 24 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (c) aiming at enhancing protection and improvement of the aquatic environment through, amongst other things, specific measures for the progressive reduction of discharges, emissions and losses of priority substances and the cessation or phasing out of discharges, emissions and losses of the priority hazardous substances,
  - (d) ensuring the progressive reduction of pollution of groundwater and preventing further pollution of it, and
  - (e) contributing to mitigating the effects of floods and droughts,
- with a view to contributing to the achievement of the aims specified in subsection (3).
- (3) Those aims are—
- (a) the provision of a sufficient supply of good quality surface water and groundwater as needed for sustainable, balanced and equitable water use,
  - (b) a significant reduction in pollution of groundwater,
  - (c) the protection of territorial and other marine waters, and
  - (d) achieving the objectives of international agreements, including those which aim to prevent and eliminate pollution of the marine environment, in relation to which measures are adopted under paragraph 1 of Article 16 of the Directive in pursuance of a proposal under paragraph 3 of that Article.

#### Textual Amendments

- F1** Words in s. 1(1) inserted (31.12.2020) by [The Environment \(EU Exit\) \(Scotland\) \(Amendment etc.\) Regulations 2019 \(S.S.I. 2019/26\)](#), regs. 1, **2(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** OJ L 311, 31.10.2014, p.32.
- F3** S. 1(1A) inserted (14.9.2015) by [The Water Environment and Water Services \(Scotland\) Act 2003 \(Modification of Part 1\) Regulations 2015 \(S.S.I. 2015/270\)](#), regs. 1(1), **2(a)**

#### Commencement Information

- I1** S. 1 in force at 15.12.2003 by [S.S.I. 2003/562](#), **art. 2(a)**

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 23(5) inserted by [2014 asp 3 sch. 3 para. 8\(6\)\(b\)](#)