***Changes to legislation:*** *The Water Environment (Register of Protected Areas) (Scotland) Regulations 2004 is up to date with all changes known to be in force on or before 06 May 2022. 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*

SCOTTISH STATUTORY INSTRUMENTS

# 2004 No. 516

# ENVIRONMENTAL PROTECTION
# WATER

## The Water Environment (Register of Protected Areas) (Scotland) Regulations 2004

| | |
|---|---|
| *Made - - - -* | *29th November 2004* |
| *Laid before the Scottish Parliament - - - -* | *30th November 2004* |
| *Coming into force - -* | *22nd December 2004* |

The Scottish Ministers, in exercise of the powers conferred by section 7 of the Water Environment and Water Services (Scotland) Act 2003 [F1], and of all other powers enabling them in that behalf, hereby make the following Regulations:

**F1** 2003 asp 3.

**Citation, commencement and interpretation**

**1.**—(1) These Regulations may be cited as the Water Environment (Register of Protected Areas) (Scotland) Regulations 2004 and shall come into force on 22nd December 2004.

(2) In these Regulations–

(a) any reference to a section is a reference to that section of the Water Environment and Water Services (Scotland) Act 2003;

(b) "the register" means the register of the protected areas lying within the Scotland River Basin District [F2].

**F2** The Scotland River Basin District was designated by virtue of the Water Environment and Water Services (Scotland) Act 2003 (Designation of Scotland River Basin District) Order 2003 S.S.I. No. 610.

**Register**

**2.**—(1) SEPA shall prepare and maintain the register in accordance with the following provisions of this regulation.

(2) The register shall contain the information referred to in Part I of the Schedule to these Regulations and may contain the information referred to in Part II of that Schedule.

(3) SEPA may prepare and maintain the register in any form.

(4) SEPA shall publish the register on its website.

*LEWIS MACDONALD*

St Andrew's House, Edinburgh — Authorised to sign by the Scottish Ministers

SCHEDULE Regulation 2(2)

Register

# PART I

**[F3A1.** A description of all shellfish water protected areas.**]**

**F3** Sch. para. A1 inserted (22.12.2013) by The Water Environment (River Basin Management Planning Further Provision) (Scotland) Regulations 2013 (S.S.I. 2013/323), regs. 1, **25(a)**

**1.** A description of all bodies of water identified under section 6.

**2.** A description of all bodies of water designated–

F4(a) . . . . . .

(b) as recreational waters, including those designated under **[**F5Directive 2006/7/EC of the European Parliament and of the Council concerning the management of bathing water quality and repealing Directive 76/160/EEC, as last amended by Regulation (EC) No 596/2009 of the European Parliament and of the Council**]**; and

(c) as nutrient sensitive areas, including those designated as–

(i) vulnerable zones under Council Directive 91/676/EEC of 12th December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources F6**[**F7, as last amended by Regulation (EC) No 1137/2008 of the European Parliament and of the Council**]**, and

(ii) as sensitive areas under Council Directive 91/271/EEC of 21st May 1991 concerning urban waste water treatment F8**[**F9, as last **[**F10relevantly**]** amended by Regulation (EC) No 1137/2008 of the European Parliament and of the Council**]**.

**F4** Sch. para. 2(a) omitted (22.12.2013) by The Water Environment (River Basin Management Planning Further Provision) (Scotland) Regulations 2013 (S.S.I. 2013/323), **regs. 1**, 25(b)
**F5** Words in Sch. para. 2(b) substituted (28.2.2019) by The Environment, Food and Rural Affairs (Miscellaneous Amendments and Revocations) (Scotland) Regulations 2018 (S.S.I. 2018/391), regs. 1(1), **5(2)(a)**
**F6** O.J. L 375, 31.12.1991, p.1.
**F7** Words in Sch. para. 2(c) inserted (28.2.2019) by The Environment, Food and Rural Affairs (Miscellaneous Amendments and Revocations) (Scotland) Regulations 2018 (S.S.I. 2018/391), regs. 1(1), **5(2)(b)(i)**
**F8** O.J. L 135, 30.5.1991, p.40.
**F9** Words in Sch. para. 2(c) inserted (28.2.2019) by The Environment, Food and Rural Affairs (Miscellaneous Amendments and Revocations) (Scotland) Regulations 2018 (S.S.I. 2018/391), regs. 1(1), **5(2)(b)(ii)**
**F10** Word in Sch. para. 2(c)(ii) inserted (1.7.2019) by The Environment (EU Exit) (Miscellaneous Amendments) (Scotland) Regulations 2019 (S.S.I. 2019/175), regs. 1(1)(a), **5**

**3.** A description of all areas designated for the protection of habitats and species where the maintenance or improvement of the status of water is an important factor in the protection of those habitats or species, including such areas designated under–

(a) Council Directive 92/43/EEC of 21st May 1992 on the conservation of natural habitats and of wild fauna and flora F11**[**F12, as last amended by Council Directive 2013/17/EU**]**; and