SCOTTISH STATUTORY INSTRUMENTS

2003 No. 273

ENVIRONMENTAL PROTECTION
WATER

The Urban Waste Water Treatment (Scotland) Amendment Regulations 2003

Made - - - -	*4th June 2003*
Laid before the Scottish Parliament - - - -	*5th June 2003*
Coming into force - -	*27th June 2003*

The Scottish Ministers, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(**1**), and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Urban Waste Water Treatment (Scotland) Amendment Regulations 2003 and shall come into force on 27th June 2003.

(2) These Regulations extend to Scotland only.

(3) In these Regulations–

"the principal Regulations" means the Urban Waste Water Treatment (Scotland) Regulations 1994(**2**);

"SEPA" means the Scottish Environment Protection Agency;

and any word or expression used in the principal Regulations shall have the same meaning as it has in those Regulations.

(4) Any reference in these Regulations to anything done in writing or produced in written form includes a reference to an electronic communication, as defined in the Electronic Communications Act 2000(**3**), which has been recorded and is consequently capable of being reproduced.

(**1**) 1972 c. 68. Section 2(2) was amended by the Scotland Act 1998 (c. 46), Schedule 8, paragraph 15(3). The function conferred upon the Minister of the Crown under section 2(2) of the European Communities Act 1972, insofar as within devolved competence, was transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998.
(**2**) S.I.1994/2842, as amended by S.I. 1996/973, paragraph 19 of the Schedule.
(**3**) 2000 c. 7.

Decisions taken on a review of sensitive areas or high natural dispersion areas

2.—(1) Where the Scottish Ministers decide on a review under regulation 3(2) of the principal Regulations–

(a) that any area of water identified as a sensitive area or as a high natural dispersion area should no longer be identified as such; or

(b) that any area of water not previously identified as a sensitive area or as a high natural dispersion area should be identified as such,

they shall give notice in writing to SEPA informing SEPA of their decision and the date on which it takes effect.

(2) The Scottish Ministers shall before their decision takes effect–

(a) publish the notice mentioned in paragraph (1) above–

(i) in the Edinburgh Gazette; and

(ii) on their website;

(b) ensure that revised maps are deposited with SEPA–

(i) reflecting the decision of the Scottish Ministers; and

(ii) indicating the date on which the decision takes effect; and

(c) take such other steps as they consider appropriate to publicise their decision.

(3) A decision on a review under regulation 3(2) of the principal Regulations takes effect on the date stated in the notice given under paragraph (1) above in respect of that review and shall continue in force until such time a decision following a subsequent review takes effect.

Duty to maintain up to date information about sensitive areas and high natural dispersion areas

3.—(1) The Scottish Ministers and SEPA shall each ensure that their website–

(a) shows maps of all areas of water currently identified as a sensitive area or as a high natural dispersion area; and

(b) gives the dates on which any area of water was identified as a sensitive area or high natural dispersion area, or ceased to be so identified.

(2) SEPA shall keep available at its principal office and at each of its principal regional offices, at all reasonable times, for inspection by the public free of charge–

(a) the maps showing sensitive areas and high natural dispersion areas deposited with it for the purposes of regulation 2;

(b) the information mentioned in paragraph (1)(b) above.

Consequential amendments

4.—(1) The principal Regulations are amended as follows.

(2) In regulation 3(1), at the beginning there is inserted "Subject to regulation 2 of the Urban Waste Water Treatment (Scotland) Amendment Regulations 2003,".

(3) Regulations 3(3) and 12(b) shall cease to have effect.