

Current water legislation, policy and Plans (Scotland & Northern Ireland)			
Policy/ legislation	Key provisions	Applies to Scotland?	Applies to Northern Ireland?
<b>Primary legislation</b>			
<a href="#">2009 – Marine and Coastal Access Bill</a>	<p>The Bill was published for consultation in April 2008. It covers the following areas:</p> <ul style="list-style-type: none"> <li>• Establishment of a new Marine Management Organisation under which many areas of marine regulation would be centralised</li> <li>• Streamlines the existing marine licensing system and provides powers to create a joined up marine planning policy</li> <li>• Reform of fisheries management</li> <li>• Provides a framework for establishing marine conservation zones</li> </ul> <p>The Bill is currently before Parliament and is expected, if passed, to be given royal assent late in 2009.</p>	✓	✓
<a href="#">2009 – Marine (Scotland) Bill</a>	<p>There are competing demands on Scotland's marine environment. Some of these activities are controlled, however there is little strategic overview of the use of the marine environment. The provisions in this Bill create a framework to manage the growing and competing demands for the use of marine resources in the seas around Scotland, integrating environmental and socio-economic considerations to maximise economic growth within sustainable environmental limits. Stage 1 of the Bill is aimed to be complete by 31 October 2009.</p>	✓	

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2009 – Flood Risk Assessment (Scotland) Act 2009	This Act introduces a framework to reduce the adverse consequences of flooding for human health, the environment, cultural heritage and economic activity. It transposes the EU Floods Directive, updates legislation on flooding and amends legislation related to reservoirs in Scotland.	✓	
2003 – Water Environment and Water Services (Scotland) Act	Enabling legislation in Scotland for the Water Framework Directive and aims to: <ul style="list-style-type: none"> <li>• Prevent deterioration of the status of groundwater bodies;</li> <li>• Protect, enhance and restore all bodies of groundwater with the aim of achieving good groundwater status by 2015;</li> <li>• Prevent or limit the input of pollutants to groundwater and reverse any significant and sustained upward trends in the concentration of pollutants in groundwater;</li> <li>• Achieve compliance with any relevant standards and objectives for protected areas.</li> </ul>	✓	
2001 - Fisheries (Amendment) Act (Northern Ireland)	Amends the Fisheries Act (Northern Ireland) 1966 and aims to protect fisheries and their habitats.		✓
1999 - The Water (Northern Ireland) Order	Replaced the Water Act (Northern Ireland) 1972. It is designed to combat and prevent pollution affecting waterways and groundwater.		✓
1990 - Environment Protection Act 1990- Part II A: Contaminated land	To prevent additional contaminated land and guidance on risk assessment of contaminated soil and remediation.	✓	✓
1985 - The Food and Environment Protection Act (NI)	Requires a licence to be issued for the deposit of any substance or article in the sea, but also enables exemptions from this requirement to be made.		✓

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<a href="#">1949 -The Coast Protection Act</a>	Empowers Local Authorities with coastlines (termed 'Coast Protection Authorities' in the Act) to carry out coast protection work inside and outside their area as necessary.	✓	✓
<a href="#">1952 - The Foyle Fisheries Act (Northern Ireland)</a> Amended in 1999 and by the 2007 - The Foyle and Carlingford Fisheries (Northern Ireland) Order	The 1952 Act, amended in 1999 and by the 2007 Order, covers the management, conservation, protection and improvement of the fisheries in the Foyle and Carlingford areas, defines functions of the Foyle, Carlingford and Irish Lights Commission (FCILC) (to be carried out through the Loughs Agency), and provides for other matters (including the charging of fees on certain fishing licences). FCILC powers include the development and licensing of aquaculture and development of inland fisheries, and powers to protect fisheries in the Foyle and Carlingford areas.		✓
<b>Secondary legislation</b>			
<a href="#">2009 - Private Water Supplies Regulations (Northern Ireland)</a>	The aim of the Regulations is to provide health protection for consumers of private water supplies and consumers of food produced or prepared using such supplies, by making sure it is clean and wholesome.		✓
<a href="#">2009 – Water Environment ( Floods Directive) Regulations (Northern Ireland)</a>	These regulations implement Directive 2007/60/EC, on the assessment and management of flood risk in Northern Ireland, which aims to reduce the adverse consequences of flooding on human health, the environment, cultural heritage and economic activity.		✓

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2009 – Water Environment (Groundwater and Priority Substances) (Scotland) Regulations	Provides amendments to the Water Environment and Water Services (Scotland) Act 2003 and the Water Environment (Controlled Activities) (Scotland) Regulations 2005 to transpose the requirements of Directive 2006/118/EC on the protection of groundwater against pollution and deterioration, and transpose the requirements of Directive 2008/105/EC on the control of Priority Substances.	✓	
2008 - The Water Environment (Diffuse Pollution) (Scotland) Regulations 2008	To control the impact of diffuse pollution on the water environment from rural land use activities. Applies to the use of fertilisers, keeping of livestock, land cultivation, drainage, construction of roads and tracks and the application of pesticides and sheep dip.	✓	
2008 - Bathing Water (Scotland) Regulations	Transposes the revised Bathing Water Directive (2006/7/EC) into Scottish Law. Key features include increased provision of public information, tighter microbiological standards to be met by 2015 and monitoring to be commenced by 2012.	✓	
2007 - Water Supply (Water Quality) (Northern Ireland) Regulations	To protect public health by ensuring that drinking water is "wholesome and clean".		✓
2006 - Private Water Supplies (Scotland) Regulations	Transposes the revised European Drinking Water Directive (Council Directive 98/83/EC) to ensure the provision of clean and wholesome drinking water and deliver significant health benefits to those using such supplies.	✓	
2006 - Water Environment (Oil Storage) (Scotland) Regulations	To control the storage of oil from industrial premises, commercial businesses, institutions (residential and non-residential), and farms.	✓	

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<a href="#">2005 - Water Environment (Controlled Activities) (Scotland) Regulations</a> Amended by the <a href="#">Water Environment (Controlled Activities) (Scotland) Amendment Regulations 2007</a>	Subjects activities liable to cause pollution, abstractions, impoundments and engineering activities in or near inland surface waters to a system of authorisation. It introduces proportionate, targeted, and risk-based regulation. The Regulations bring into effect the requirements of section 20 of the Water Environment and Water Services Act 2003. It replaces the Control of Pollution Act 1974 and the Groundwater (Scotland) Regulations 1998.	✓	
<a href="#">2003 - The Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations (Northern Ireland)</a>	Brings into force additional anti-pollution controls covering the design, siting, construction and repair of silage, slurry and agricultural fuel oil storage facilities.		✓
<a href="#">2003 - The Protection of Water Against Agricultural Nitrate Pollution Regulations (Northern Ireland)</a>	To protect surface water and groundwaters against pollution caused by nitrates from agricultural sources. It is designed both to safeguard water supplies and to prevent wider ecological damage in the form of eutrophication of freshwater and marine waters.		✓
<a href="#">2003 - The Water Environment (Water Framework Directive) Regulations (Northern Ireland)</a>	Transposes the Water Framework Directive into Northern Ireland legislation. The regulation describes the water environment, sets out the responsibilities of public authorities, allows for the establishment of river basin districts and allows for new controls over activities which directly effect the water environment. The Northern Ireland Environment Agency (NIEA) will run an SEA in parallel with the development of the River Basin Management Plans on a whole of Ireland basis.		✓
<a href="#">2003 - The Pollution Prevention and Control Regulations (Northern Ireland)</a>	Governs the permitting system which aims to protect water, including from landfill and disposal of wastes to land.		✓

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2002 - The Designation of Nitrate Vulnerable Zones (Scotland) Regulations	To further implement the requirements of the Nitrates Directive in Scotland concerning the protection of waters against pollution caused by nitrates from agricultural sources.	✓	
2001 - Water Supply (Water Quality) Scotland Regulations	Prescribe standards for a wide range of drinking water quality parameters.	✓	
2000 - Pollution Prevention and Control (Scotland) Regulations	Governs the permitting system which aims to protect water, including from industry, landfill and disposal of wastes to land.	✓	
1998 - The Groundwater Regulations (Northern Ireland)	To prevent pollution of groundwater. Authorisation is required before certain listed substances, including used sheep dips and waste pesticides, are disposed of by land spreading.		✓
1996 - The Surface Waters (Abstraction for Drinking Water) (Classification) Regulations (Northern Ireland)	To set standards for the quality of surface water to be used as sources of public water supply and are now incorporated under The Water Quality Regulations.		✓
1996 - Protection of Water against Agricultural Nitrate Pollution (Scotland) Regulations	Transposes the Nitrates Directive into Scots Law. Necessitates the production of Action Programmes to work towards achieving the objectives set in the Nitrates Directive.	✓	
<b>Plans</b>			
River Basin Management Plans	A key requirement of the Water Framework Directive which sets out the actions required within each river basin to achieve set environmental quality objectives. The Draft River Basin Management Plans have been produced for each River Basin District in Northern Ireland and Scotland. The final RBMPs will be published in December 2009.	✓	✓

