
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out requirements relating to the register of protected areas to be prepared and maintained by the Scottish Environment Protection Agency (“SEPA”) under section 7 of the Water Environment and Water Services (Scotland) Act 2003 (“the Act”).

Regulation 1 contains the citation, commencement and interpretation provisions. Regulation 1(2) (b) defines the register as the register of those protected areas lying within the Scotland River Basin District. The two cross border River Basin Districts, namely the Solway Tweed and Northumbria River Basin Districts, were designated respectively by the [Water Environment \(Water Framework Directive\) \(Solway Tweed River Basin District\) Regulations 2004 \(S.I.No. 99\)](#) and the [Water Environment \(Water Framework Directive\) \(Northumbria River Basin District\) Regulations 2003 \(S.I. No. 3245\)](#). In accordance with the provisions of those Regulations, the register applicable to the Solway Tweed River Basin District will be prepared jointly by the Environment Agency and SEPA, and the register applicable to the Northumbria River Basin District, by the Environment Agency.

Regulation 2(2) requires the register to contain the information described in Part I of the Schedule to the Regulations. The information set out in Part I of the Schedule includes a description of those areas or bodies of water identified under section 6 of the Act, and those designated

- for the protection of economically significant aquatic species;
- as recreational waters;
- as nutrient sensitive areas; and
- for the protection of habitats and species where the maintenance or improvement of the status of the water is an important factor in the protection of those habitats or species.

The register must also contain maps of the protected areas, and a description of the legislation under which the protected area has been designated.

Regulation 2(2) also enables SEPA to include on the register, the information described in Part II of the Schedule.

Regulation 2(3) enables SEPA to prepare and maintain the register in any form. Regulation 2(4) requires SEPA to publish the register on its website. SEPA’s website is www.sepa.org.uk. The obligation under regulation 2(4) is in addition to the obligation under section 7(6) of the Act to make the register available, at all reasonable times, for public inspection, free of charge.