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SCOTTISH STATUTORY INSTRUMENTS

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**2017 No. 281**

**WATER SUPPLY**

**The Public Water Supplies (Scotland)  
Amendment Regulations 2017**

*Made* - - - - *5th September 2017*  
*Laid before the Scottish*  
*Parliament* - - - - *7th September 2017*  
*Coming into force* - - *27th October 2017*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 76B, 76F(5) and (6), 76J, 101(1) and (1A) and 109(1) of the Water (Scotland) Act 1980(1), section 2(2) of the European Communities Act 1972(2), and all other powers enabling them to do so.

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- (1) 1980 c.45. Sections 76F(5) and (6) and 76J were inserted by section 168 and schedule 22 of the Water Act 1989 (c.15). Section 76F(5) and (6) was amended by paragraph 119(42) of schedule 13 of the Local Government etc. (Scotland) Act 1994 (c.39). Section 76J was amended by paragraph 119(45) of schedule 13 of the Local Government etc. (Scotland) Act 1994 (c.39). Section 101(1A) was inserted by section 27(1) and paragraph 9(5) of schedule 10 of the Natural Heritage (Scotland) Act 1991 (c.28). The definition of “prescribed” in section 109(1) was amended by paragraph 38(f) of schedule 11 of the Local Government Finance Act 1992 (c.14). The functions conferred on the Secretary of State under sections 76F(5) and (6), 76J, 101(1) and (1A) and 109(1) of the Water (Scotland) Act 1980 are, so far as they are exercisable within devolved competence, exercisable by the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).
- (2) 1972 c.68. Section 2(2) was amended by the Scotland Act 1998 (c.46) (“the 1998 Act”), schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act 2006 (c.51) (“the 2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by the European Union (Amendment) Act 2008 (c.7) (“the 2008 Act”), schedule, Part 1. Paragraph 1A of schedule 2 was inserted by the 2006 Act, section 28 and amended by the 2008 Act, schedule, Part 1. The functions conferred on a Minister of the Crown under section 2(2) of the European Communities Act 1972 are, so far as they are exercisable within devolved competence, exercisable by the Scottish Ministers by virtue of section 53 of the 1998 Act. Section 2(2) is cited so far as is necessary (to supplement the other powers cited) for the purposes of implementing, or enabling the implementation of, obligations arising under or by virtue of Directive 98/83/EC and Directive 2013/51/EURATOM. In particular, section 2(2) is cited so far as is necessary to enable the making of the provision in regulation 4(7) which confers a power of direction on the Drinking Water Regulator for Scotland.

**Changes to legislation:**

There are currently no known outstanding effects for the The Public Water Supplies (Scotland) Amendment Regulations 2017, Introductory Text.