
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations aim to protect human health from the adverse effects of any contamination of water intended for human consumption by ensuring that the water meets water quality standards.

Except where stated otherwise, these Regulations do not apply in relation to the categories of water intended for human consumption specified in sub-paragraphs (a) to (h) of regulation 2(1). In particular, these Regulations do not apply in relation to (among other things)—

- water which is regulated by the Public Water Supplies (Scotland) Regulations 2014(1);
- water which is exempt by virtue of regulation 2(4); and
- water which is regulated by specified provisions of the Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) (No. 2) Regulations 2007(2).

These Regulations replace (and partly re-enact with modifications) the provisions of the Private Water Supplies (Scotland) Regulations 2006(3) so far as they applied to a ‘Type A supply’, pursuant to the further implementation of—

- Council Directive 98/83/EC on the quality of water intended for human consumption(4) including, in particular, the amendments made by Commission Directive (EU) 2015/1787 amending Annexes II and III to Council Directive 98/83/EC on the quality of water intended for human consumption(5); and
- Council Directive 2013/51/EURATOM laying down requirements for the protection of the health of the general public with regard to radioactive substances in water intended for human consumption(6).

Except where the contrary intention appears, in so far as a thing done (such as a sample taken or a failure investigated) or having effect as if so done under a provision of the Private Water Supplies (Scotland) Regulations 2006 could have been done under the re-enacted provision (modified or not), that thing has effect as if done under that re-enacted provision(7).

Part 1 makes general provision for citation, commencement, extent, application, interpretation, etc.

Part 2 makes provision in relation to a register of supply systems, etc.

Part 3 makes provision in relation to the risk assessment of water supplies.

Part 4 makes provision in relation to water quality standards and duties.

Part 5 makes provision in relation to monitoring and analysis.

Part 6 makes provision in relation to investigation and remedial action.

Part 7 makes provision in relation to information and reporting.

(1) S.S.I. 2014/364, as amended by S.S.I. 2015/100, S.S.I. 2015/346 and S.S.I. 2017/281.

(2) S.S.I. 2007/483, amended by S.S.I. 2009/273, S.S.I. 2010/89, S.S.I. 2011/94, S.S.I. 2014/312, S.S.I. 2015/100 and S.S.I. 2015/363.

(3) S.S.I. 2006/209, as amended by S.S.I. 2010/95, S.S.I. 2014/364, S.S.I. 2015/346 and S.S.I. 2017/282.

(4) OJ L 330, 5.12.98, p.32, as amended by Corrigendum (OJ L 111, 20.4.2001, p.31), Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p.1), Regulation (EC) No 596/2009 (OJ L 188, 18.7.2009, p.14) and Commission Directive (EU) 2015/1787 (OJ L 260, 7.10.2015, p.6).

(5) OJ L 260, 7.10.2015, p.6.

(6) OJ L 296, 7.11.2013, p.12.

(7) This transitional provision applies by virtue of section 19(5) of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Part 8 makes provision in relation to enforcement.

Part 9 makes provision in relation to offences.

Part 10 makes provision in relation to other enactments.

A business and regulatory impact assessment has been prepared for these Regulations. A copy of this may be obtained from the Scottish Government, Victoria Quay, Leith, Edinburgh EH6 6QQ and online at www.legislation.gov.uk.