
STATUTORY INSTRUMENTS

2013 No. 1675

The Bathing Water Regulations 2013

PART 1

GENERAL PROVISIONS

General duties

5.—(1) The Secretary of State, the Welsh Ministers, the Environment Agency and the Natural Resources Body for Wales must exercise their relevant functions in England and Wales—

- (a) so as to ensure that, by the end of the bathing season in 2015, all bathing waters are classified under regulation 11 at least as “sufficient”;
- (b) so as to take such realistic and proportionate measures as they each consider appropriate with a view to increasing the number of bathing waters classified under regulation 11 as “good” or “excellent”; and
- (c) in all other respects, so as to ensure compliance with the [F1provisions] of the Bathing Water Directive.

(2) In this regulation, “relevant functions” means functions, so far as relevant, under the enactments listed in Schedule 2 (enactments) to [F2the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017].

(3) The appropriate agency must promptly provide—

- (a) to the appropriate Minister such information about the quality of bathing waters as the appropriate Minister may by notice reasonably require; and
- (b) to a local authority such information about the quality of the bathing waters that it controls as that local authority may by notice reasonably require.

[F3(4) For the purposes of this regulation, the Bathing Water Directive is to be read as if—

- (a) in Article 2(13), the reference to Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment were a reference to Council Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment;
- (b) the following provisions were omitted—
 - (i) Article 3(8);
 - (ii) in Article 3(9), the final sentence;
 - (iii) in Article 4(2), in the second subparagraph, the second and third sentences;
- (c) in Article 6(3), the reference to Council Directive [2000/60/EC](#) were a reference to Article 8 of that Directive;
- (d) the following provisions were omitted—
 - (i) Article 13;
 - (ii) Article 14;

- (iii) Article 18;
 - (e) in Annex 3, in paragraph 1(a), the reference to Council Directive 2000/60/EC were omitted.
- (5) For the purposes of paragraph (4)(c), Article 8 of Council Directive 2000/60/EC is to be read as if—
- (a) in paragraph 1, in the final indent, the reference to Community legislation were a reference to retained EU law;
 - (b) in paragraph 2, the reference in the second sentence to Annex 5 to Council Directive 2000/60/EC were a reference to that Annex as modified by Part 1 of Schedule 5 to the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.]

Textual Amendments

- F1** Word in reg. 5(1)(c) substituted (31.12.2020) by The Floods and Water (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/558), regs. 1(1), **15(4)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in reg. 5(2) substituted (10.4.2017) by The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (S.I. 2017/407), reg. 1(a), **Sch. 4 para. 4(2)** (with reg. 1(c))
- F3** Reg. 5(4)(5) inserted (31.12.2020) by The Floods and Water (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/558), regs. 1(1), **15(4)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Bathing Water Regulations 2013, Section 5.