

# **S.I. No. 722/2003 — European Communities (Water Policy) Regulations 2003**

## **STATUTORY INSTRUMENTS**

### **S.I. No. 722 of 2003**

#### **European Communities (Water Policy) Regulations 2003**

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S.I. No. 722 of 2003

### European Communities (Water Policy) Regulations 2003

The Minister for the Environment, Heritage and Local Government, in exercise of the powers conferred on him by section 3 of the European Communities Act, 1972 ( No. 27 of 1972 ) and for the purpose of giving further effect to Directive 2000/60/EC<sup>(1)</sup> of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy hereby makes the following Regulations:

#### *Citation*

1. These Regulations may be cited as the European Communities (Water Policy) Regulations, 2003.

***Interpretation***

2. (1) Any reference to an article or Schedule is a reference to an article or Schedule of these Regulations and any reference to a subarticle, paragraph or subparagraph is a reference to a subarticle, paragraph or subparagraph of the provision in which the reference occurs.
- (2) Any word or expression which is used in these Regulations and is also used in the Directive has the same meaning as in the Directive except where these Regulations provide otherwise.
- (3) In these Regulations, save where the context otherwise requires -

“the Act of 1992” means the Environmental Protection Agency Act, 1992 (No. 7 of 1992) ;

“the co-ordinating authority”, in relation to a river basin district, has the meaning assigned by article 6;

“the Directive” means Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy;

“the EPA” means the Environmental Protection Agency established under the Act of 1992;

“the European Commission” means the Commission of the European Communities;

“interested parties”, in relation to a river basin district includes persons who —

- (a) are carrying on any business which relies upon the water environment in the district, or
- (b) are carrying on any activities which have or are likely to have an impact on water status in the district, or
- (c) have an interest in the protection of the water environment in the district whether as users of the water environment or otherwise;

“international river basin” means a river basin lying partly in the State and partly in Northern Ireland;

“international river basin district” means the combined river basin district areas in the State and in Northern Ireland in relation to an international river basin;

“local authority” means a city council or a county council;

“the Minister” means the Minister for the Environment, Heritage and Local

Government;

“the relevant local authorities”, in relation to a river basin district, means the local authorities whose functional areas lie wholly or partly within that river basin district;

“the relevant public authorities”, in relation to a river basin district, means the authorities and other bodies specified in the First Schedule, and

“river basin district”, in relation to an international river basin district, means that part of the international river basin district which lies within the State.

***General duty of  
public  
authorities***

3. (1) It shall be the duty of every public authority to —

- (a) exercise its functions in a manner which is consistent with the provisions of the Directive and which achieves or promotes compliance with the requirements of the Directive;
- (b) take such actions as may be appropriate in the context of its functions to secure compliance with the Directive and with the provisions of any river basin management plan made, and any programme of measures established, in accordance with these Regulations;
- (c) consult, co-operate and liaise with other public authorities and with the competent authorities in Northern Ireland in such a manner and to such extent as is necessary to ensure co-ordination of the requirements of the Directive for achievement of the environmental objectives in relation to the whole of each river basin district and international river basin district including requirements as to the analysis of its characteristics, the review of the impact of human activity on the status of surface waters and on groundwater, the monitoring of water status, the preparation of river basin management plans and the implementation of programmes of measures;
- (d) provide such information appropriate to its functions as may be reasonably required by any other public authority for the purpose of compliance with the Directive and, insofar as is practicable, provide such information, where so requested, in a form disaggregated by reference to river basin districts, river basins, sub-basins or such other areas as may be specified;
- (e) encourage the active involvement of all interested parties in relation to the measures being taken by the authority for implementation of the Directive, and
- (f) provide access to background documents and information used for the development of a draft river basin management plan.

(2) Without prejudice to the generality of subarticle (1), each of the public

authorities specified in the First Schedule shall, if so requested by the EPA, send to the EPA within such period (being not less than one month) as may be specified by the EPA —

- (a) the documents and information specified in paragraphs (i), (iii), (iv) and (v) of Annex I of the Directive in relation to the authority, and
- (b) information as to the contact points and procedures by which interested persons may gain access to background documents and information used for the development of a draft river basin management plan.

***Co-ordination,  
assistance and  
guidance by  
Minister***

- 4. (1) The Minister shall promote the co-ordinated implementation of the Directive across river basin districts and, together with the competent authorities in the State and in Northern Ireland, in relation to international river basin districts.
- (2) The Minister may provide such assistance, including financial assistance, to the relevant public authorities as the Minister considers appropriate in relation to the discharge of their functions under these Regulations.
- (3) The Minister may, following consultation with such (if any) authorities or other persons as the Minister considers appropriate, issue guidance and general policy directions in relation to the implementation of these Regulations and, subject to subarticle (4), the relevant public authorities shall have regard to any such guidance and directions.
- (4) Subarticle (3) shall not be construed as enabling the Minister to exercise any power or control in relation to the performance in particular circumstances by a public authority of its statutory functions.

***River basin  
districts***

- 5. (1) For the purposes of the Directive the State shall have areas known as river basin districts which shall be the areas set out in the Second Schedule.
- (2) The EPA shall, not later than 22 June 2004, in relation to each river basin district:-
  - (a) prepare a precise description of the boundaries of the district;
  - (b) prepare a list of the main rivers in the district, and
  - (c) identify the individual river basins in the district.
- (3) The information to be prepared for the purposes of subarticle (2)(a) is to be prepared in a form which is available for introduction into a geographical information system (GIS) and/or the geographical information system of the European Commission (GISCO).
- (4) A description prepared by the EPA of the boundaries of a river basin district shall, unless the contrary is shown, be deemed to be a true and accurate

description of those boundaries and shall be accepted as such in all proceedings.

- (5) The EPA shall consult and co-operate with the competent authorities in Northern Ireland for the purposes of subarticle (2) in relation to the preparation of descriptions and mapping of international river basin districts.
- (6) The information prepared for the purposes of subarticle (2) in relation to a river basin district shall be sent not later than 22 June 2004 by the EPA to the Minister, the co-ordinating authority and the European Commission.

**Competent authorities**

- 6. (1) The competent authorities specified in Article 3 of the Directive in relation to a river basin district are—
  - (a) the relevant local authorities acting jointly for the purposes of the establishment of environmental objectives and programmes of measures and the making of river basin management plans in accordance with articles 12 and 13, respectively, and
  - (b) the EPA for the purposes of reporting to the European Commission and for such other functions as are assigned to the EPA by these Regulations.
- (2) The EPA shall take such measures as it considers appropriate to promote and facilitate the co-ordination of activities for the purposes of Articles 4, 5, 7, 10, 11 and 13 of the Directive.
- (3) The EPA shall to send to the European Commission not later than 22 June 2004 the information required by Article 3(8) of the Directive in relation to competent authorities.
- (4) A local authority specified in the Table to this subarticle in relation to a river basin district shall act as the co-ordinator for all the relevant local authorities unless the Minister has, following consultation with those authorities and such other persons as the Minister considers appropriate, by order under subarticle (5) appointed another authority to act as co-ordinating authority.

**TABLE**

<b>Co-ordinating local authority</b>	<b>River basin district</b>
Dublin City Council	Eastern
Galway County Council	Western
Carlow County Council	South Eastern
Cork County Council	South Western

Donegal County Council	North Western
Monaghan County Council	Neagh Bann
Limerick County Council	Shannon

- (5) The Minister may make, or revoke, an order for the purposes of this article and any such order shall have effect in accordance with its terms.

***Characterisation  
of river basin  
district***

7. (1) The EPA shall, not later than 22 December 2004, for the purposes of Article 5 of the Directive following consultation with such persons as it considers appropriate—
- (a) map the location and boundaries of groundwater bodies and surface water bodies,
  - (b) identify each surface water body as—
    - (i) belonging to one of the following categories namely rivers, lakes, transitional waters or coastal waters, or
    - (ii) an artificial surface water body or a heavily modified surface water body,
  - (c) provide the typology for differentiating all surface waters within a river basin district,
  - (d) establish type-specific reference conditions for each surface water body type, and
  - (e) prepare the information specified at paragraphs (a) to (d) in a form which is available for introduction into a geographical information system (GIS) and/or the geographical information system of the European Commission (GISCO).
- (2) The relevant local authorities shall, not later than 22 December 2004, carry out in accordance with Article 5 of the Directive in relation to a river basin district—
- (a) an analysis of its characteristics,
  - (b) a review of the impact of human activity on the status of surface waters and of groundwater, and
  - (c) an economic analysis of water use.
- (3) The relevant local authorities shall not later than 22 December 2004 send to the EPA a summary report of the analyses and review carried out in accordance with subarticle (2).

- (5) The EPA shall, not later than 22 March 2005, publish and send to the Minister and the European Commission a summary report of the analyses and review carried out in accordance with subarticle (2).
- (6) The EPA and the relevant local authorities shall, not later than 22 December 2013 and every six years thereafter, following consultation with the relevant public authorities and such other persons as they consider appropriate, review and, if necessary, update the mapping, information, analyses and reviews first carried out in accordance with subarticles (1) and (2).

***Register of  
protected areas***

8. The EPA shall establish, not later than 22 December 2004, a register of protected areas in accordance with Article 6 of the Directive and subsequently keep the register under review and up to date.

***Classification  
systems***

9. The EPA shall, not later than 22 June 2006, following consultation with the relevant public authorities and such other persons as it considers appropriate, establish systems for —
  - (a) estimating the values of the biological quality elements specified for each surface water category, heavily modified water body and artificial water body,
  - (b) the classification and presentation of the ecological status and chemical status of surface waters, and
  - (c) the classification and presentation of the chemical status and quantitative status of groundwater.

***Monitoring  
programmes***

10. (1) The EPA shall prepare not later than 22 June 2006, following consultation with the relevant public authorities and such other persons as it considers appropriate, a programme of monitoring of water status in order to provide a coherent and comprehensive overview of water status within each river basin district in accordance with Articles 7(1) and 8 of the Directive.
- (2) The programme prepared by the EPA in accordance with subarticle (1) shall —
  - (a) specify the nature, frequency and extent of monitoring to be carried out by public authorities,
  - (b) specify the public authority or authorities by whom the monitoring is to be carried out,
  - (c) provide that all monitoring measures necessary for compliance with Articles 7(1) and 8 of the Directive are established and operational not later than 22 December 2006, and
  - (d) cover —
    - (i) in relation to surface waters —



- the ecological and chemical status and ecological potential
    - the volume and level or rate of flow to the extent relevant for ecological and chemical status and ecological potential,
  - (ii) in relation to groundwaters, the chemical and quantitative status, and
  - (iii) in relation to protected areas, such additional matters as may be required to meet the requirements of local, national and European Community legislation establishing the protected areas.
- (3) The EPA shall, not later than 22 June 2006, —
- (a) publish, and
  - (b) send to the Minister and to each authority to which a duty of monitoring is assigned by a programme
- a copy of the programme and a summary report of the programme, together with a notice indicating that comments in relation to the programme may be sent to the Minister within one month of the date of its publication.
- (4) The Minister may, following consultation with such (if any) Minister of the Government or other person as he considers appropriate and following consideration of any objections or proposed amendments, amend a monitoring programme by notice issued to the EPA within three months after the publication of a programme under subarticle (3).
- (5) Where the Minister amends a monitoring programme in accordance with subarticle (4) the EPA shall, within one month of receipt of a notice under subarticle (4), publish the programme as so amended and send a copy of the programme and a summary report of it to each authority to which a duty of monitoring is assigned by the programme.
- (6) A monitoring programme shall, with such amendments (if any) as have been made by the Minister, come into effect six months after the programme has been published in accordance with subarticle (3).
- (7) The EPA shall send to the European Commission a summary report of a monitoring programme prepared (and, where appropriate, amended) in accordance with this article and such a report shall be sent by the EPA not later than —
- (a) in case where the Minister has not amended the programme, six months after the programme has been published under subarticle (3), and
  - (b) in case where the programme has been amended by the Minister, three months after the programme has been published under subarticle (5).

- (8) A duty of monitoring assigned to a public authority by a programme under this article shall be carried out by that authority in accordance with the provisions of the programme.

***Cost Recovery***

11. (1) The relevant local authorities shall —
  - (a) in accordance with Article 9 of the Directive, take account of the principle of recovery of the costs of water services, including environmental and resource costs, having regard to the economic analysis carried out according to article 7, and in accordance in particular with the polluter pays principle,
  - (b) ensure that water-pricing policies and practices are in place in compliance with Article 9 of the Directive, not later than 31 December 2009, and
  - (c) comply with any direction or guidance which may be given by the Minister for the purposes of this article.
- (2) For the purposes of this article, “established practices” referred to in Article 9.4 of the Directive shall include the provisions of section 12 of the Local Government (Financial Provisions) Act, 1997 ( No. 29 of 1997 ).

***Environmental objectives and programme of measures***

12. (1) The relevant local authorities shall, not later than 22 June 2009, following consultation with the relevant public authorities and such other persons as the relevant local authorities consider appropriate —
  - (a) establish environmental objectives in relation to each river basin district in accordance with Article 4 of the Directive,
  - (b) establish a programme of measures in accordance with Article 11 of the Directive in order to achieve those objectives, and
  - (c) publish the programme of measures so established and send a copy of the programme to the relevant public authorities accompanied by a notice indicating that comments in relation to the programme may be sent to the Minister within one month of the date of publication of the programme.
- (2) A programme of measures shall include the basic measures specified in Article 11(3) of the Directive and such supplementary measures specified in Article 11(4) of the Directive as the relevant authorities consider appropriate.
- (3) In preparing a programme of measures the relevant local authorities shall —
  - (a) take account of the results of the analyses and reviews carried out in accordance with article 7,

- (b) not later than 22 June 2008 publish the draft programme and make it available for comments to be provided in writing by any person for a period not less than six months, and
  - (c) have regard to any comments received.
- (4) The EPA shall give a report to the Minister in relation to a programme of measures within three months of the publication of the programme in accordance with subarticle (1) and the report is to indicate the amendments (if any) which the EPA consider ought to be made to the programme of measures.
- (5) The Minister may, after consultation with such (if any) Minister of the Government, competent authority in Northern Ireland or other person as he considers appropriate and following consideration of a report sent by the EPA in accordance with subarticle (4), amend a programme of measures by notice issued to the co-ordinating authority within five months of the publication of the programme in accordance with subarticle (1) and, where such a notice is issued by the Minister, the co-ordinating authority shall send a copy of the notice to the relevant public authorities and publish it.
- (6) A programme of measures will, with such amendments (if any) as have been made by the Minister, come into effect six months after it has been published in accordance with subarticle (1).
- (7) The measures specified in a programme established in accordance with subarticle (1) shall be made operational not later than three years after the programme has come into effect.
- (8) The relevant public authorities are to ensure that the application of measures taken pursuant to a programme of measures established in accordance with this article will on no account lead, either directly or indirectly, to increased pollution of surface waters (except where this requirement would result in increased pollution of the environment as a whole).
- (9) The establishment of a programme of measures in accordance with subarticle (1) shall, subject to subarticles (5), (10) and (11) be a reserved function.
- (10) Where the relevant local authorities in relation to a river basin district have not jointly established and published a programme of measures by 22 June 2009, the establishment of a programme of measures in relation to that district shall cease to be a reserved function and, accordingly, the establishment of such a programme shall be an executive function and shall be carried out by the managers of the relevant authorities.
- (11) Where the establishment of a programme of measures is an executive function in accordance with subarticle (10), the programme shall be established and published, and notices shall be issued for the purposes of subarticle (1)(c), not later than 22 July 2009 and the periods of time specified in subarticles (1) to (7) shall apply as if the programme had been published on 22 June 2009.

***River basin  
management  
plan***

- (12) The relevant local authorities shall, not later than 22 June 2015 and every six years thereafter, review and if necessary update a programme of measures and subarticles (1) to (11) shall apply with appropriate modifications to any new or updated programme of measures.
- 13
  - (1) The relevant local authorities in relation to each river basin district shall, not later than 22 June 2009, following consultation with the relevant public authorities and such other persons as the relevant local authorities consider appropriate —
    - (a) make a river basin management plan in accordance with Article 13 of the Directive, and
    - (b) publish the plan and send a copy of it to the relevant public authorities accompanied by a notice indicating that comments in relation to the plan may be sent to the Minister within one month of the date of publication of the plan.
  - (2) In the implementation of subarticle (1) in relation to an international river basin district —
    - (a) the relevant local authorities shall endeavour to produce a single river basin management plan in relation to the whole district in accordance with Article 13 of the Directive in co-ordination with the competent authorities in Northern Ireland, and
    - (b) where production of a single plan is not possible, the relevant local authorities shall produce a plan in relation to that part of the international river basin district lying within the State.
  - (3) A river basin management plan shall include the information set out in Annex VII of the Directive and may be supplemented by the production of such additional detailed programmes and management plans for sub-basin, sector, issue or water type to deal with particular aspects of water management as the relevant authorities consider appropriate.
  - (4) In making, reviewing or updating a river basin management plan the relevant local authorities shall consult with the relevant public authorities and such other persons as the relevant local authorities consider appropriate and comply with the requirements of article 14 in relation to public information and consultation.
  - (5) The EPA shall give a report to the Minister in relation to a river basin management plan within three months of the publication of the plan in accordance with subarticle (1) and the report shall indicate the amendments (if any) which the EPA consider ought to be made to the plan.
  - (6) The Minister may, following consideration of a report sent by the EPA and after consultation with such (if any) Minister of the Government, competent authority in Northern Ireland or other person as he considers appropriate, amend a river basin management plan by notice issued to the co-ordinating authority within five months of the publication of the plan in accordance with subarticle (1) and where a plan is so amended by the Minister the co-

ordinating authority shall send a copy of the notice to the relevant public authorities and publish it.

- (7) A river basin management plan shall, with such amendments (if any) as have been made by the Minister, come into effect six months after it has been published in accordance with subarticle (1).
- (8) The EPA shall, in accordance with Article 15 of the Directive, send a copy of all river basin management plans and their updates to the European Commission and to the competent authorities in Northern Ireland within three months of the plan or update of the plan coming into effect.
- (9) The making and updating of a river basin management plan is, subject to subarticles (6), (10) and (11) a reserved function within the meaning of section 131 of the Local Government Act, 2001 ( No. 37 of 2001 ).
- (10) Where the relevant local authorities in relation to a river basin district have not jointly made a river basin management plan by 22 June 2009, the making of such a plan in relation to that district shall cease to be a reserved function and, accordingly, the making of the plan shall be an executive function and shall be carried out by the managers of the relevant authorities.
- (11) Where the making of a river basin management plan is an executive function in accordance with subarticle (10), the plan shall be made and published, and notices issued for the purposes of subarticle (1)(b), not later than 22 July 2009 and the periods of time specified in subarticles (1) to (8) shall apply as if the plan had been published on 22 June 2009.
- (12) The relevant local authorities shall, not later than 22 June 2015 and every six years thereafter, review and, if necessary, update their river basin management plan and subarticles (1) to (11) shall apply with appropriate modifications to any new or updated plan.

***Public  
information and  
consultation on  
plan***

14. (1) The relevant local authorities shall prepare and publish —
  - (a) not later than 22 June 2006 (and not less than three years before the period to which a river basin management plan relates) a timetable and work programme for the production of a river basin management plan in accordance with article 13, including a statement as to the consultation measures to be taken;
  - (b) not later than 22 June 2007 (and not less than two years before the period to which a river basin management plan relates) an overview of the significant water management issues identified in the river basin district, and
  - (c) not later than 22 June 2008 (and not less than one year before the period to which a river basin management plan relates) draft copies of the river basin management plan.

- (2) On publication of the documents specified in article (1) the relevant local authorities shall, by notice published in a daily newspaper circulating in the river basin district, invite the provision of comments in writing by any person and shall allow a period of at least six months for the provision of such comments.
- (3) The requirements of this article shall, with appropriate modifications, apply to the updating of a river basin management plan.
- (4) A copy of the documents specified in article (1) shall be sent by the relevant local authorities to all the relevant public authorities

***Progress reports***

- 15. (1) The relevant local authorities shall, not later than thirty months after a plan or updated plan comes into effect, send to the EPA an interim report describing progress in the implementation of the programme of measures established for that river basin district.
- (2) The EPA shall, within six months of receipt of a report in accordance with subarticle (1) in relation to a river basin district, send to the European Commission an interim report describing progress in the implementation of the programme of measures established for that river basin district.

***River basin district advisory council***

- 16. (1) The relevant local authorities shall establish in relation to each river basin district a river basin district advisory council (subsequently referred in this Article as “a council”) to consider matters relating to the preparation of river basin management plans and other matters relevant to the protection and use of the aquatic environment and water resources in the district and to advise and make recommendations on these matters to the relevant public authorities.
- (2) A council shall be established not later than 22 December 2004 for a period ending not later than 22 December 2009 and a new council is to be established for the period of five years commencing on 22 December 2009 and for every subsequent period of five years.
- (3) Subject to this article, the membership and procedures of a council shall be determined by the relevant local authorities.
- (4) The chairperson of a council shall be a member of a relevant local authority.
- (5) A council shall consist of persons who are members of the relevant local authorities (at the time of their appointment as members of the council) together with, insofar as is practicable, representatives of interested parties and such other persons as may be determined by the relevant local authorities.
- (6) The membership of a council is to be not less than 20 persons and not more than 50 persons.
- (7) The number of members of the council who are members of the relevant local authorities shall not exceed one quarter of the total membership of the council.

- (8) The proceedings of a council shall not be invalidated solely by reason of the fact that there is not any member of the council (including the chairperson) who is a member of a relevant local authority.
- (9) A council shall meet at least twice per annum.
- (10) An employee of a local authority shall be assigned the duties of secretary of the council.
- (11) In the discharge of their duties under these Regulations in relation to a river basin district the relevant public authorities shall have regard to the advice and recommendations of the council for the district.
- (12) A relevant public authority may provide such assistance, including financial assistance, as the authority considers appropriate in relation to the activities of a council.

***Environmental  
quality  
standards for  
priority  
substances***

- 17 (1) The EPA shall, in the absence of agreement at European Community level within the period of six years specified in Article 16.8 of the Directive in relation to the establishment of environmental quality standards under Article 16 of the Directive for substances included on the first list of priority substances, make recommendations to the Minister not more than three months after the expiration of that period in relation to the standards which should be established in accordance with that article for all surface waters affected by discharges of such substances and such controls as may be appropriate in relation to the principal sources of such substances.
- (2) For substances subsequently included in the list of priority substances, the EPA shall, in the absence of agreement at European Community level in relation to standards for such substances within the period of 54 months after the inclusion of such substances on the list of priority substances, make recommendations to the Minister within three months after the expiration of that period in relation to the standards which should be established in accordance Article 16.8 of the Directive.

***Criteria for  
assessment of  
groundwater***

- 18. The EPA shall, in the absence of the adoption at European Community of criteria in relation to groundwater for the purposes of Article 17 of the Directive, make recommendations to the Minister not later than 22 September 2005 as to the criteria which should be established for that purpose.

***Websites***

- 19. The relevant local authorities and the EPA shall, as far as is practicable, provide for display on a website of the documents and maps required by these Regulations to be produced by, respectively, the relevant local authorities and the EPA, including the background documents and information used for the development of a draft river basin management plan.

***Supervision of  
public  
authorities by  
EPA***

- 20. The powers conferred on the EPA by section 63 of the Act of 1992 in relation to local authorities shall be exercisable by the EPA in relation to any public authority (other than a Minister of the Government) to which a duty is assigned by a monitoring programme prepared in accordance with article 10 or by a programme of measures prepared in accordance with article 12.

## **First Schedule**

### **Relevant public authorities**

The relevant public authorities to which article 2 refers in relation to a river basin district are —

- the Environmental Protection Agency
- the relevant local authorities
- the regional authorities in the area
- the regional fisheries boards in the area
- the Geological Survey of Ireland
- Teagasc
- the Radiological Protection Institute of Ireland
- the Marine Institute
- the Central Fisheries Board
- the Electricity Supply Board
- Waterways Ireland
- Tourism Ireland
- the Heritage Council
- the Health and Safety Authority



- the Local Government Computer Services Board
- the Commissioners of Public Works
- the Minister for Enterprise, Trade and Employment
- the Minister for Communications, Marine and Natural Resources
- the Minister for Agriculture and Food

## **Second Schedule**

### **River basin districts**

1. The river basin districts to which article 5 refers are -

the Eastern River Basin District comprising the river basins lying within Hydrometric Areas 7 to 10, and the groundwaters, coastal waters and offshore islands associated with all these areas

the Western River Basin District comprising the river basins lying within Hydrometric Areas 29 to 35 (excluding the part of Hydrometric Area 35 from which surface run-off flows through the river Bradoge, Drowes, Duff or Glenaniff or Lough Melvin), and the groundwaters, coastal waters and offshore islands associated with all these areas

the South Eastern River Basin District comprising the river basins lying within Hydrometric Areas 11 to 17 (excluding the part of Hydrometric Area 17 from which surface run-off flows into Youghal Bay), and the groundwaters, coastal waters and offshore islands associated with all these areas

the South Western River Basin District comprising the river basins lying within Hydrometric Areas 18 to 22, the part of Hydrometric Area 17 from which surface run-off flows into Youghal Bay, and the groundwaters, coastal waters and offshore islands associated with all these areas

the North Western River Basin District comprising, insofar as they lie within the State, the river basins lying within Hydrometric Areas 1, 2 and 36 to 40, the part of Hydrometric Area 35 from which surface run-off flows through the river Bradoge, Drowes, Duff or Glenaniff or Lough Melvin, and the groundwater, coastal waters and offshore islands associated with all these areas

the Neagh Bann River Basin District comprising, insofar as they lie within the State, the river basins lying within Hydrometric Areas 3 and 6 (excluding the part of Hydrometric Area 6 from which surface run-off flows to the coastal waters lying north of Carlingford Lough) and the groundwaters, coastal waters and offshore islands associated with all these areas

the Shannon River Basin District comprising, insofar as they lie within the State, the river basins lying within Hydrometric Areas 23 to 28, and the groundwaters, coastal waters and offshore islands associated with all these areas.

2. In this Schedule, the expression “Hydrometric Area” means the area delineated on maps prepared by the EPA for the purpose of identifying areas known as Water Resource Regions and Hydrometric Areas.

Given under the Official Seal of the Minister for  
the Environment, Heritage and Local Government  
this 22nd day of December, 2003



MARTIN CULLEN

Minister for the Environment, Heritage and Local  
Government

### **Explanatory Note**

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations provide for the transposition into Irish national law of the provisions of the EU Water Framework Directive. For this purpose the Regulations, *inter alia*, —

- establish seven areas in the State as “river basin districts” (RBDs) of which three relate to cross-border river basins shared with Northern Ireland
- require local authorities, acting jointly in relation to each RBD, to establish environmental objectives, to establish programmes of measures for the achievement of these objectives, to make river basin management plans and to establish river basin district advisory councils
- provide for co-ordination and guidance at national level by the Minister and the EPA
- require all public authorities to take measures appropriate to their functions to promote or achieve implementation of the Directive / Regulations, to co-ordinate, co-operate and liaise with other authorities including authorities in Northern Ireland for this purpose and to encourage the active involvement of all interested parties.

(1) OJ No.L327, 22. 12. 2000, P.1.

