
WELSH STATUTORY INSTRUMENTS

2017 No. 1288 (W. 297) (C. 120)
WATER, ENGLAND AND WALES

The Water Act 2014 (Commencement No. 10) Order 2017

Made - - - - 14 December 2017

The Welsh Ministers make this Order in exercise of the power conferred on them by section 94(3) of the Water Act 2014(1).

Title and interpretation

- 1.—(1) The title of this Order is the Water Act 2014 (Commencement No. 10) Order 2017.
(2) In this Order “the 2014 Act” (“*Deddf 2014*”) means the Water Act 2014.

Provisions of the 2014 Act coming into force on the day after the day on which this Order is made

2. The following provisions of the 2014 Act, so far as not already in force, come into force on the day after the day on which this Order is made—
- (a) section 17 (rules about charges for connections etc); and
 - (b) section 38 (guidance relating to rules about charges).

Provisions of the 2014 Act coming into force on 1 April 2019

3. The following provisions of the 2014 Act come into force on 1 April 2019—
- (a) section 8 (bulk supply of water by water undertakers) so far as not already in force;
 - (b) section 9 (main connections into sewerage systems);
 - (c) section 10 (agreements by water undertakers to adopt infrastructure) so far as not already in force; and
 - (d) section 11 (agreements by sewerage undertakers to adopt infrastructure) so far as not already in force.

(1) [2014 c. 21](#). The Welsh Ministers are the appropriate authority under section 94(3) of the 2014 Act for these purposes by virtue of the table in paragraph 1 of Schedule 12 to the 2014 Act.

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14 December 2017

Hannah Blythyn
Minister for Environment, under authority of
the Cabinet Secretary for Energy, Planning and
Rural Affairs, one of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Commencement Order is made by the Welsh Ministers under the Water Act 2014 (“the 2014 Act”).

Article 2 brings into force sections 17 and 38 of the 2014 Act for all remaining purposes on the day after the day on which this Order is made. Section 17 amends the Water Industry Act 1991 (“the 1991 Act”) by permitting rules to be issued about charges which may be levied by water undertakers and sewerage undertakers for connections to, and the provision of, water mains, public sewers and some associated infrastructure. Section 38 enables the Welsh Ministers to issue and revise guidance in relation to the charging rules issued by the Water Services Regulation Authority (“Ofwat”).

Article 3 brings into force on 1 April 2019, sections 8 to 11 of the 2014 Act. These provisions amend the 1991 Act and provide new powers for Ofwat to issue charging rules with respect to undertakers’ charges schemes, connection charges, and charges for bulk supplies of water (and connections for sewerage) between undertakers.

Section 8 of the 2014 Act replaces sections 40 and 40A of the 1991 Act with new sections 40 to 40J to regulate bulk water supply agreements between a water undertaker and another water undertaker, or a person who has made an application to become an undertaker.

Section 9 of the 2014 Act replaces the existing section 110A of the 1991 Act with new sections 110A to 110J to regulate main connection agreements between a sewerage undertaker and another sewerage undertaker, or a person who has made an application to become an undertaker.

Section 10 of the 2014 Act amends section 51A of the 1991 Act and replaces sections 51B and 51C of that Act with new sections 51B to 51CG to regulate arrangements between a water undertaker and any person seeking to provide water mains or supply pipes for eventual adoption by the water undertaker.

Section 11 of the 2014 Act amends section 104 of the 1991 Act and inserts new sections 105ZA to 105ZI into that Act to regulate arrangements between a sewerage undertaker and any person seeking to provide sewers, drains or sewerage disposal works for eventual adoption by the sewerage undertaker.

Sections 8 to 11 also provide powers for the Welsh Ministers to issue guidance on the content of the new charging rules introduced by those sections. The power to issue guidance under the provisions inserted by sections 8 and 9 is exercisable jointly with the Secretary of State with regards certain agreements.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the 2014 Act have been or will be brought into force by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 1 (partially)	1 September 2015	2015/773
Section 1 (partially)	1 September 2015	2015/1469

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 1 (partially)	1 January 2016	2015/1938
Section 1 (partially)	1 April 2016	2016/465
Section 1 (partially)	1 September 2016	2016/465
Section 1 (partially)	1 November 2016	2016/1007
Section 1 (partially)	30 March 2017	2017/462
Section 1 (partially)	1 April 2017	2017/462
Section 2	1 April 2017	2017/462
Section 4 (partially)	1 September 2015	2015/773
Section 4 (partially)	1 September 2015	2015/1469
Section 4 (partially)	1 January 2016	2015/1938
Section 4 (partially)	1 April 2016	2016/465
Section 4 (partially)	1 September 2016	2016/465
Section 4 (partially)	30 March 2017	2017/462
Section 4 (partially)	1 April 2017	2017/462
Section 6 (partially)	18 December 2015	2015/1938
Section 6 (for all remaining purposes)	1 April 2016	2016/465
Section 7 (partially)	20 November 2015	2015/360 (S.S.I.)
Section 7 (for all remaining purposes)	1 April 2016	2016/48 (S.S.I.)
Section 8 (partially)	6 April 2015	2015/773
Section 8 (partially, for cases in which the Secretary of State is the appropriate authority)	1 November 2016	2016/1007
Section 9 (partially, for cases in which the Secretary of State is the appropriate authority)	1 November 2016	2016/1007
Section 10 (partially)	18 December 2015	2015/1938
Section 10 (partially, in relation to wholly or mainly English undertakers)	1 April 2017	2017/462
Section 10 (for all remaining purposes in relation to wholly or mainly English undertakers)	1 October 2017	2017/462
Section 11 (partially)	18 December 2015	2015/1938
Section 11 (partially, in relation to wholly or mainly English undertakers)	1 April 2017	2017/462

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 11 (for all remaining purposes in relation to wholly or mainly English undertakers)	1 October 2017	2017/462
Section 14 (partially)	6 April 2015	2015/773
Section 14 (for all remaining purposes)	18 December 2015	2015/1938
Section 16 (partially)	15 July 2015	2015/1469
Section 16 (for all remaining purposes)	1 November 2015	2015/1469
Section 17 (partially)	6 April 2015	2015/773
Section 17 (partially)	15 July 2015	2015/1469
Section 17 (for all remaining purposes in relation to wholly or mainly English undertakers)	1 April 2016	2016/465
Section 18 (in relation to wholly or mainly English undertakers)	1 April 2018	2017/462
Section 19 (in relation to wholly or mainly English undertakers)	1 April 2018	2017/462
Section 20 (in relation to wholly or mainly English undertakers)	1 April 2018	2017/462
Section 22 (for all remaining purposes)	18 December 2015	2015/1938
Section 23 (partially)	1 January 2015	2014/3320
Section 23 (partially in relation to wholly or mainly Welsh undertakers)	6 April 2015	2015/773
Section 23 (for all remaining purposes in relation to wholly or mainly English undertakers)	1 April 2016	2016/465
Section 24	6 April 2015	2015/773
Section 25 (for all remaining purposes)	1 April 2016	2016/465
Section 29 (partially for cases in which the Secretary of State is the appropriate authority)	1 January 2015	2014/3320
Section 29 (partially)	15 July 2015	2015/1469
Section 29 (for all remaining purposes for cases in which the Secretary of State is the appropriate authority)	1 November 2016	2016/1007

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 30 (partially)	1 January 2015	2014/3320
Section 30 (partially)	15 July 2015	2015/1469
Section 30 (for all remaining purposes)	1 November 2016	2016/1007
Section 31	1 April 2017	2017/462
Section 32 (partially)	6 March 2017	2017/58
Section 32 (for all remaining purposes)	1 April 2017	2017/462
Section 34 (partially)	1 September 2016	2016/465
Section 37	1 April 2016	2016/465
Section 38 (partially in relation to wholly or mainly English undertakers)	1 January 2015	2014/3320
Section 38 (partially in relation to wholly or mainly Welsh undertakers)	6 April 2015	2015/773
Section 38 (for all remaining purposes in relation to wholly or mainly English undertakers)	1 April 2016	2016/465
Section 40 (partially)	14 July 2014	2014/1823
Section 40 (partially)	1 November 2016	2016/1007
Section 41 (in relation to wholly or mainly Welsh undertakers)	1 November 2015	2015/1786 (W. 249)
Sections 42 to 47	6 April 2015	2015/773
Section 49	6 April 2015	2015/773
Section 51 and 52	6 April 2015	2015/773
Section 53 (partially)	6 April 2015	2015/773
Section 55	1 January 2015	2014/3320
Section 56 (partially)	1 January 2015	2014/3320
Section 56 (partially)	15 July 2015	2015/1469
Section 56 (partially)	1 September 2015	2015/1469
Section 56 (partially)	1 November 2015	2015/1469
Section 56 (partially)	18 December 2015	2015/1938
Section 56 (partially)	1 January 2016	2015/1938
Section 56 (partially)	1 April 2016	2016/465
Section 56 (partially)	1 September 2016	2016/465
Section 56 (partially)	1 November 2016	2016/1007

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 56 (partially)	6 March 2017	2017/58
Section 56 (partially)	1 April 2017	2017/462
Section 56 (partially)	1 October 2017	2017/462
Section 56 (partially)	1 April 2018	2017/462
Section 59	1 October 2014	2014/1823
Sections 64 to 68	1 January 2015	2014/3320
Section 69 (for all remaining purposes)	1 January 2015	2014/3320
Section 82 (partially)	1 January 2015	2014/3320
Sections 83 and 84	1 January 2015	2014/3320
Schedule 1	1 January 2016	2015/1938
Schedule 2 (partially)	1 September 2015	2015/773
Schedule 2 (partially)	1 September 2015	2015/1469
Schedule 2 (partially)	1 April 2016	2016/465
Schedule 2 (partially)	30 March 2017	2017/462
Schedule 2 (partially)	1 April 2017	2017/462
Schedule 3	1 January 2016	2015/1938
Schedule 4 (partially)	1 September 2015	2015/773
Schedule 4 (partially)	1 September 2015	2015/1469
Schedule 4 (partially)	1 April 2016	2016/465
Schedule 4 (partially)	1 September 2016	2016/465
Schedule 4 (partially)	30 March 2017	2017/462
Schedule 4 (partially)	1 April 2017	2017/462
Schedule 6	1 April 2016	2016/465
Schedule 7 (partially)	1 January 2015	2014/3320
Schedule 7 (partially)	15 July 2015	2015/1469
Schedule 7 (partially)	1 September 2015	2015/1469
Schedule 7 (partially)	1 November 2015	2015/1469
Schedule 7 (partially)	18 December 2015	2015/1938
Schedule 7 (partially)	1 January 2016	2015/1938
Schedule 7 (partially)	1 April 2016	2016/465
Schedule 7 (partially)	1 September 2016	2016/465
Schedule 7 (partially)	1 November 2016	2016/1007
Schedule 7 (partially)	6 March 2017	2017/58

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Schedule 7 (partially)	1 April 2017	2017/462
Schedule 7 (partially)	1 October 2017	2017/462
Schedule 7 (partially)	1 April 2018	2017/462
Schedule 9	14 July 2014	2014/1823