

2016 No. 48 (C. 8)

WATER INDUSTRY

WATER RESOURCES

**The Water Act 2014 (Commencement No. 2) (Scotland) Order
2016**

Made - - - - 26th January 2016

Laid before the Scottish Parliament 28th January 2016

Coming into force - - 1st April 2016

The Scottish Ministers make the following Order in exercise of the powers conferred by section 94(3) and (6) of, and Schedule 12 to, the Water Act 2014^(a) and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Water Act 2014 (Commencement No. 2) (Scotland) Order 2016 and comes into force on 1st April 2016.

Appointed day

2. 1st April 2016 is the day appointed for the coming into force of section 7(1) and (2) of the Water Act 2014 (arrangements with the Water Services Regulation Authority) in so far as not already in force.

KEITH BROWN
A member of the Scottish Government

St Andrew's House,
Edinburgh
26th January 2016

(a) 2014 c.21 ("the Act"). The power in section 94(3) of the Act to appoint a day on which the remaining provisions of the Act shall come into force is vested in the "appropriate authority". Section 94(6) of the Act states that the appropriate authority is the Secretary of State except as otherwise stated in the table in Schedule 12 to the Act. In accordance with that table the appropriate authority in relation to section 7 of the Act is the Scottish Ministers.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order commences section 7(1) and (2) of the Water Act 2014 (“the 2014 Act”) in so far as not already in force.

The Water Act 2014 (Commencement No. 1) (Scotland) Order 2015 (S.S.I. 2015/360) commenced section 7(1) and (2) of the 2014 Act in so far as they insert paragraph 1A into Schedule 2 to the Water Services etc. (Scotland) Act 2005 (“the 2005 Act”). This Order commences section 7(1) and (2) for all remaining purposes.

The effect of this Order is that section 7 of the 2014 Act is commenced in full so that it inserts a new paragraph 1B into schedule 2 to the 2005 Act. The new paragraph 1B imposes a duty on the Water Industry Commission for Scotland to forward to the Water Services Regulation Authority an application for a grant of a water services licence or sewerage services licence when certain conditions are met.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the 2014 Act have been brought into force by commencement orders made before the date of this Order. Only sections 61 and 62, Schedule 8 (for limited purposes) and Parts 4 and 6 of the 2014 Act extend to Scotland. Amendments made by section 7 will also extend to Scotland by virtue of section 93(4). Section 7 is the only provision that falls to be commenced by the Scottish Ministers.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 (partially)	1st September 2015	2015/773
Section 1 (partially)	1st September 2015	2015/1469
Section 1 (partially)	1st January 2016	2015/1938
Section 4 (partially)	1st September 2015	2015/773
Section 4 (partially)	1st September 2015	2015/1469
Section 4 (partially)	1st January 2016	2015/1938
Section 6 (partially)	18th December 2015	2015/1938
Section 7 (partially)	20th November 2015	2015/360 (S.S.I.)
Section 8 (partially)	6th April 2015	2015/773
Section 10 (partially)	18th December 2015	2015/1938
Section 11 (partially)	18th December 2015	2015/1938
Section 14(2) (partially)	6th April 2015	2015/773
Section 14 (for all remaining purposes)	18th December 2015	2015/1938
Section 16(2) (partially)	15th July 2015	2015/1469
Section 16 (for all remaining purposes)	1st November 2015	2015/1469
Section 17 (partially)	6th April 2015	2015/773
Section 17 (partially)	15th July 2015	2015/1469
Section 22	18th December 2015	2015/1938
Section 23 (partially)	1st January 2015	2014/3320
Section 23 (partially)	6th April 2015	2015/773
Section 24	6th April 2015	2015/773
Section 29 (partially)	1st January 2015	2014/3320
section 29(7)	15th July 2015	2015/1469
Section 30 (partially)	1st January 2015	2014/3320
Section 30(7)	15th July 2015	2015/1469
Section 38 (partially)	1st January 2015	2014/3320

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 38 (partially)	6th April 2015	2015/773
Section 40(1)	14th July 2014	2014/1823
Section 41	1st November 2015	2015/1786 (W.249)
Sections 42 to 47	6th April 2015	2015/773
Section 49	6th April 2015	2015/773
Section 51	6th April 2015	2015/773
Section 52	6th April 2015	2015/773
Section 53 (partially)	6th April 2015	2015/773
Section 55	1st January 2015	2014/3320
Section 56 (partially)	1st January 2015	2014/3320
Section 56 (partially)	15th July 2015	2015/1469
Section 56 (partially)	1st September 2015	2015/1469
Section 56 (partially)	1st November 2015	2015/1469
Section 56 (partially)	18th December 2015	2015/1938
Section 56 (partially)	1st January 2016	2015/1938
Section 59	1st October 2014	2014/1823
Sections 64 to 68	1st January 2015	2014/3320
Section 69 (for all remaining purposes)	1st January 2015	2014/3320
Section 82 (partially)	1st January 2015	2014/3320
Sections 83 to 84	1st January 2015	2014/3320
Schedule 1	1st January 2015	2015/1938
Schedule 2 (partially)	1st September 2015	2015/773
Schedule 2 (partially)	1st September 2015	2015/1469
Schedule 3	1st January 2015	2015/1938
Schedule 4 (partially)	1st September 2015	2015/773
Schedule 4 (partially)	1st September 2015	2015/1469
Schedule 7 (partially)	1st January 2015	2014/3320
Schedule 7 (partially)	15th July 2015	2015/1469
Schedule 7 (partially)	1st September 2015	2015/1469
Schedule 7 (partially)	1st November 2015	2015/1469
Schedule 7 (partially)	18th December 2015	2015/1938
Schedule 7 (partially)	1st January 2016	2015/1938
Schedule 9	14th July 2014	2014/1823

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