

*These notes refer to the Water Act 2003 (c.37) which received Royal Assent on 20th November 2003*

# WATER ACT 2003

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part 3: Miscellaneous

#### *Section 57 The Drinking Water Inspectorate* 327.

#### **Section 57: The Chief Inspector of Drinking Water and the Drinking Water Inspectorate.**

This section amends section 86 of the WIA which enables the Secretary of State to appoint persons to act as what are currently described as “technical assessors” for the enforcement of water quality. The amendments reflect the fact that such assessors are more generally known as the Drinking Water Inspectorate.

328. Subsection (3) enables the Secretary of State to designate one inspector as the Chief Inspector of Drinking Water; for the Assembly to designate a Chief Inspector of Drinking Water for Wales if the relevant functions are transferred to the Assembly (by virtue of the Transfer of Functions Order); and, where the same person is designated to act in both capacities, for that person to be known as the Chief Inspector of Drinking Water.
329. Subsection (7) increases from £5,000 to £20,000 the maximum penalty available in the magistrates’ court for the offence of failing to provide inspectors with assistance or information, and enables cases to be brought on indictment before the Crown Court, where the offence is punishable by a fine.
330. Subsection (8) enables the Chief Inspector of Drinking Water to institute prosecutions, in relation to drinking water quality, in his or her own name, and this also applies to the Chief Inspector of Drinking Water for Wales.