



# Water Act 2003

## 2003 CHAPTER 37

### PART 2

#### NEW REGULATORY ARRANGEMENTS, ETC

##### *Miscellaneous*

#### 51 Reasons for decisions

After section 195 of the WIA there is inserted—

##### **“195A Reasons for decisions**

- (1) This section applies to the following decisions of the Authority, the Secretary of State or the Assembly, namely—
- (a) the modification of the conditions of an appointment under Chapter 1 of Part 2 of this Act or the variation of the area to which an appointment relates;
  - (b) the modification of the conditions of a licence under Chapter 1A of that Part;
  - (c) the termination of such an appointment or the revocation of such a licence;
  - (d) the giving of any directions or consent in pursuance of a condition included in such an appointment by virtue of section 12(1) above or in such a licence by virtue of section 17G(3)(a) or (b) above;
  - (e) the determination of a question referred in pursuance of a condition included in such an appointment by virtue of section 12(2) above or in such a licence by virtue of section 17G(3)(c) above;
  - (f) the making of a determination under section 17E or 66D(1) above; and
  - (g) the making of a final enforcement order, the making or confirmation of a provisional enforcement order or the revocation of a final order or of a provisional order which has been confirmed.

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*Status: This is the original version (as it was originally enacted).*

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- (2) As soon as reasonably practicable after making such a decision the Authority, the Secretary of State or the Assembly shall publish a notice stating the reasons for the decision in such manner as it considers appropriate for the purpose of bringing the matters to which the notice relates to the attention of persons likely to be interested.
- (3) A person publishing a notice under subsection (2) above shall serve a copy on the company holding the appointment or licence to which the decision relates.
- (4) A person preparing a notice under subsection (2) above shall have regard to the need for excluding, so far as that is practicable, any matter which relates to the affairs of a particular individual or body of persons (corporate or unincorporate), where he considers that publication of that matter would or might seriously and prejudicially affect the interests of that individual or body.
- (5) This section does not apply in relation to a decision of the Authority resulting in any provision which the Authority was directed under section 195(3) above not to enter in the register required to be kept under that section.”

## **52 Co-operation between water regulators**

- (1) This section imposes duties on each of the following—
  - (a) the Secretary of State,
  - (b) the Assembly,
  - (c) the Environment Agency, and
  - (d) the Water Services Regulation Authority.
- (2) It is the duty of each of those mentioned in subsection (1) to make arrangements with each of the others with a view to promoting, in the case of each pair of them—
  - (a) co-operation and the exchange of information between them, and
  - (b) consistency of treatment of matters which affect both of them.
- (3) That duty relates only—
  - (a) in the case of the Water Services Regulation Authority, to its functions under the WIA relating to the regulation of water and sewerage undertakers and licensed water suppliers,
  - (b) in the case of the Secretary of State and the Assembly, to their functions of the description referred to in paragraph (a), and to their functions under the WIA relating to the quality of water supplied by water undertakers and licensed water suppliers,
  - (c) in the case of the Environment Agency, to its functions concerning water resources and water pollution so far as they relate to water and sewerage undertakers and licensed water suppliers.
- (4) As soon as practicable after agreement is reached on any arrangements required by this section, the parties must prepare a memorandum setting them out.
- (5) The parties to any such arrangements must keep them under review.
- (6) As soon as practicable after agreement is reached on any changes to arrangements under this section, the parties must revise their memorandum.

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*Status: This is the original version (as it was originally enacted).*

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- (7) Parties to arrangements required by this section must send a copy of their memorandum (and any revised memorandum) to each person mentioned in subsection (1) who is not a party to the arrangements set out in it.
- (8) The Secretary of State must lay before each House of Parliament a copy of every memorandum (and revised memorandum) under this section.