



# Water Act 2003

## 2003 CHAPTER 37

### PART 3

#### MISCELLANEOUS

##### *The Drinking Water Inspectorate*

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

(1) Section 86 of the WIA (which provides for the appointment of technical assessors for the enforcement of water quality) is amended as provided in subsections (2) to (8).

(2) In subsection (1), the words “as technical assessors” are omitted.

(3) After subsection (1) there is inserted—

“(1A) Subject to subsection (1B) below, the Secretary of State shall designate one such person as the Chief Inspector of Drinking Water.

(1B) If the function of the Secretary of State under subsection (1) above is transferred to any extent to the Assembly—

(a) subject to paragraph (b) below, the Assembly may designate one such person appointed by it as the Chief Inspector of Drinking Water for Wales; but

(b) if the person designated by the Assembly is the same as the person designated by the Secretary of State as the Chief Inspector of Drinking Water, he shall be known as such in both capacities.”

(4) In subsection (2), for “A person” there is substituted “ An inspector ”.

(5) In subsection (3)(a) and (b), for “a person” there is substituted “ an inspector ”.

(6) In subsection (4), for “person”, wherever it appears, there is substituted “ inspector ”.

<sup>F1</sup>(7) .....

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*Changes to legislation: Water Act 2003, Cross Heading: The Drinking Water Inspectorate is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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(8) After subsection (6) there is added—

“(7) Proceedings by the Secretary of State for an offence under this section or in relation to the quality and sufficiency of water supplied using a water undertaker’s supply system may be instituted and carried on in the name of the Chief Inspector of Drinking Water.

(8) Any such proceedings by the Assembly may be instituted and carried on in the name of the Chief Inspector of Drinking Water for Wales, if there is one (or, if subsection (1B)(b) above applies, in the name of the Chief Inspector of Drinking Water).

(9) In this section “inspector” means the Chief Inspector of Drinking Water or any other person appointed under subsection (1) above.”

(9) In section 219 of the WIA (general interpretation), after subsection (9) there is added—

“(10) If the Assembly designates a person as Chief Inspector of Drinking Water for Wales under section 86(1B) above, references in this Act to the Chief Inspector of Drinking Water, as respects anything to be done in relation to him, shall be taken as references to the person designated as the Chief Inspector of Drinking Water by the Secretary of State and also the person designated by the Assembly as the Chief Inspector of Drinking Water for Wales.”

(10) Subsection (7) does not have effect in relation to any offence committed before the commencement of that subsection.

#### **Textual Amendments**

- F1** S. 57(7) omitted (12.3.2015) by virtue of [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Fines on Summary Conviction\) Regulations 2015 \(S.I. 2015/664\)](#), reg. 1(1), **Sch. 4 para. 101(2)** (with reg. 5(1))

#### **Commencement Information**

- I1** S. 57 in force at 1.4.2004 by [S.I. 2004/641](#), **art. 3(m)** (with [Sch. 3 para. 57](#))

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 52(9) inserted by [2014 c. 21 Sch. 7 para. 133\(3\)](#)