

**1989 No 1561 (C.53) (S.128)**

**WATER SUPPLY, SCOTLAND**

**The Water Act 1989 (Commencement No. 3) (Scotland)  
Order 1989**

*Made* - - - - *28th August 1989*

The Secretary of State for Scotland, in exercise of the powers conferred on him by section 194(4) of the Water Act 1989(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Water Act 1989 (Commencement No. 3) (Scotland) Order 1989.

(2) In this Order, unless the context otherwise requires, references to sections and Schedules are references to sections of and Schedules to the Water Act 1989.

**Commencement**

2. Except insofar as they are already in force in accordance with section 194(2), the provisions specified in the Schedule to this Order shall come into force in Scotland on 1st September 1989.

St. Andrew's House, Edinburgh  
28th August 1989

*James Douglas-Hamilton*  
Parliamentary Under Secretary of State,  
Scottish Office

## SCHEDULE

Article 2

### Provisions coming into force on 1st September 1989.

Section 13 so far as relating to any scheme under Schedule 5

Section 172

Schedule 1, paragraphs 11 and 13 and section 1 so far as relating to those paragraphs of that Schedule

Schedule 2 and section 4 so far as relating to any scheme under that Schedule

Schedule 3, paragraphs 6 and 7 and section 5 so far as relating to those paragraphs of that Schedule

Schedule 4, paragraph 6 and section 6 so far as relating to that paragraph of that Schedule

Schedule 25, paragraphs 4, 12, 17, 22, 36, 41, 46, 56 and 60 and section 190 so far as relating to those paragraphs of that Schedule

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 1st September 1989 the provisions of the Water Act 1989 extending to Scotland which are not brought into force directly by section 194(2) or (3) of the Act other than—

section 141(5) and Schedule 17, paragraph 4 (amendment of section 15 of the Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951 (c.26));

section 169 and Schedule 23 so far as relating to sections 33, 47 and 48 of the Control of Pollution Act 1974 (c.40) (provisions not yet in force relating to sanitary appliances on and waste from vessels and exclusion of vessels from inland waters); and

Part II of Schedule 27 insofar as it relates to the House of Commons Disqualification Act 1975 (c.24) and that part of section 190 which relates to that Part.

The provisions brought into force by this Order empower the Secretary of State to agree to indemnify water authorities against certain liabilities and costs arising in connection with fluoridation of the water supply (section 172) and make certain minor and consequential amendments (Schedule 25) mostly following on the coming into force of the main Scottish provisions (amendment of the Water (Scotland) Act 1980 (c.45) and Part II of the Control of Pollution Act 1974) also on 1st September 1989 by virtue of section 194(3) of the Act (see Water Authorities (Transfer of Functions) (Appointed Day) Order 1989, S.I. 1989/1530). The Order also brings into force provisions which are consequential on the establishment of the National Rivers Authority and the successor companies to the water authorities in England and Wales.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Act have been brought into force in England and Wales except insofar as already in force in accordance with section 194(2):—

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
section 1 including Schedule 1 sections 2 and 3 section 4, including Schedule 2 sections 5, including Schedule 3 sections 7, 11, 14, 32, 172, 174, 177, 187, 189, 191-193	7th July 1989	S.I. 1989/1146
section 6, including Schedule 4 sections 8-10, 12, 13, 79 (partially)	1st September 1989	S.I. 1989/1146
sections 98 (partially), 99 and 100	1st September 1989	S.I. 1989/1557
sections 101, 102, 170, 173, 175, 176, 178-184 section 186, including Schedule 24 section 188 Schedule 25 and section 190 so far as relating thereto	1st September 1989	S.I. 1989/1146
Part II of Schedule 27 (partially and with savings) and section 190 so far as relating thereto	1st September 1989	S.I. 1989/1557
section 79(2)	1st April 1990	S.I. 1989/1146
section 98 (partially) Part II of Schedule 27 (partially and with savings) and section 190 so far as relating thereto	1st April 1990	S.I. 1989/1557

The following provisions of the Act have been brought into force in Northern Ireland:—

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
Section 4, including Schedule 2 and section 13	1st September 1989	S.I. 1989/1557

90p net

ISBN 0 11 097561 8

Printed in the United Kingdom by Her Majesty's Stationery Office at Edinburgh Press

800 WO 1475 C4 9/89 452/4 19593 PS 9901487 (272412)