
STATUTORY INSTRUMENTS

1999 No. 2787

**CONSTITUTIONAL LAW
DEVOLUTION, WALES**

**The National Assembly for Wales
(Transfer of Functions) (No.2) Order 1999**

Made - - - - 12th October 1999
Laid before Parliament 25th October 1999
Coming into force - - 15th November 1999

At the Court at Buckingham Palace, the 12th day of October 1999

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of sections 22 and 24(1) of, and paragraphs 1 and 3 of Schedule 3 to, the Government of Wales Act 1998(1) and section 14(1) and (2) of the Water Industry Act 1999(2) is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows—

Citation and commencement

1.—(1) This Order may be cited as the National Assembly for Wales (Transfer of Functions) (No.2) Order 1999.

(2) This Order shall come into force on 15th November 1999.

Statement pursuant to section 14(1) of the Water Industry Act 1999

2. This Order makes no provision which is not—

- (a) provision about functions conferred by or in virtue of the Water Industry Act 1999; or
- (b) provision in connection with such provision.

(1) 1998 c. 38.
(2) 1999 c. 9.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Transfer of functions

3. The functions of the Secretary of State under sections 143(7) and (8), 143A, 144A and 144B of the Water Industry Act 1991⁽³⁾ are transferred to the National Assembly for Wales in relation to any water or sewerage undertaker whose area is wholly or mainly in Wales.

Transfer of Property

4. The provisions of section 23(1) of the Government of Wales Act 1998 shall not apply to any documentary or electronic records.

A. K. Galloway
Clerk of the Privy Council

(3) 1991 c. 56. Sections 143(7) and (8), 143A, 144A and 144B are inserted in the Water Industry Act 1991 by respectively sections 4(3), 5, 6 and 7 of the Water Industry Act 1999.

EXPLANATORY NOTE

(This note is not part of the Order)

The Order is made under section 22 of the Government of Wales Act 1998 and section 14 of the Water Industry Act 1999. It provides (under articles 2 and 3 of the Order) only for the transfer to the National Assembly for Wales (“the Assembly”) on 15th November 1999 of functions of the Secretary of State under sections 143(7) and (8), 143A, 144A and 144B of the Water Industry Act 1991 which have been inserted into that Act by respectively sections 4(3),5,6 and 7 of the Water Industry Act 1999. The functions are vested in the Secretary of State either expressly or by virtue of the word “prescribed” having the meaning of prescribed in regulations made by the Secretary of State (see section 219 of the Water Industry Act 1991). The functions which relate to charges by water and sewerage undertakers are transferred to the Assembly with respect to any water or sewerage undertaker whose area is wholly or mainly in Wales. Article 4 of the Order provides for the exclusion from transfer of certain property that would otherwise transfer to the Assembly under section 23(1) of the Government of Wales Act 1998.