
STATUTORY INSTRUMENTS

2007 No. 2734

WATER, ENGLAND AND WALES

**The Water Supply (Water Quality) Regulations
2000 (Amendment) Regulations 2007**

<i>Made</i>	- - - -	<i>13th September 2007</i>
<i>Laid before Parliament</i>		<i>18th September 2007</i> <i>22nd December</i>
<i>Coming into force</i>	- -	<i>2007</i>

The Secretary of State is designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾, as read with paragraph 1A of Schedule 2 to that Act⁽³⁾, in relation to measures relating to the quality of water intended for domestic purposes or for use in a food production undertaking.

These Regulations make provision for a purpose mentioned in that section and it appears to the Secretary of State that it is expedient for the references to Council Directive 89/106/EEC on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products⁽⁴⁾ and to Directive 98/34/EC of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society Services⁽⁵⁾ to be construed as references to those instruments as amended from time to time.

The Secretary of State makes regulation 2(21)(a) and (b) and (22) in exercise of the powers conferred by section 2(2) of the European Communities Act 1972, regulation 6 in exercise of the powers conferred by section 39 of the National Health Service Reform and Health Care Professions Act 2002⁽⁶⁾, regulation 7 in exercise of the powers conferred by section 103(1) of the Water Act 2003⁽⁷⁾, and all other provisions in the Regulations in exercise of the powers conferred by sections 67, 69, 77(3) and (4), and 213(2) of the Water Industry Act 1991⁽⁸⁾:

(1) S.I. 1998/2793.

(2) 1972 c. 68.

(3) Paragraph 1A of Schedule 2 was inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51).

(4) OJ No L40, 11.2.1989, p.12, as amended.

(5) OJ No L 204, 21.7.1998, p.37, as amended.

(6) 2002 c. 17.

(7) 2003 c. 37.

(8) 1991 c. 56; the functions of the Secretary of State under section 67 were transferred to the National Assembly for Wales ("the Assembly") (a) for the making of regulations concerning water supplied using the supply system of a water undertaker, in relation to the supply system of any water undertaker whose area is wholly or mainly in Wales, and (b) for the making of regulations concerning water supplied other than using the supply system of a water undertaker, in relation to Wales, by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) ("the Order"); the functions of the Secretary of State under section 69 of that Act were, in relation to any water undertaker whose area is wholly or mainly in Wales and any licensed water supplier so far as relating to licensed activities using the supply system of any such water undertaker, transferred to the Assembly by the same provision of the Order; the functions of the Secretary of State under section 77 of that Act were transferred to the Assembly in relation to Wales by the same provision of the Order; the functions of the Secretary of State under section 213 of that Act were exercisable by the Assembly to the same extent as the powers to

which that section applies were exercisable by the Assembly by virtue of the same provision of the Order; see the entry in Schedule 1 for the Water Industry Act 1991 as substituted by paragraph (e) of Schedule 3 to the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/253) and amended by section 100(2) of the Water Act 2003 (c. 37); there are other amending instruments but none is relevant. Sections 69 and 213 of that Act were amended by sections 58 and 101(1) of, paragraph 39 of Schedule 7 to, and paragraphs 2, 19 and 49 of Schedule 8 to, the Water Act 2003. References in Schedule 1 to the Order to specific sections of the Water Industry Act 1991 are treated by section 100(6) of the Water Act 2003 as referring to those sections as amended by the Water Act 2003. See section 219(4A) of the Water Industry Act 1991 as inserted by section 101(1) of, and paragraphs 2 and 50 of Schedule 8 to, the Water Act 2003 for the definition of “supply system”. See section 219(1) of the Water Industry Act 1991 as amended by section 101(1) of, and paragraphs 2 and 50 of Schedule 8 to, the Water Act 2003 for the definition of “licensed water supplier”. By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32), functions conferred on the Assembly are exercisable by the Welsh Ministers.