

---

STATUTORY INSTRUMENTS

---

**2011 No. 1566**

**WATER INDUSTRY, ENGLAND AND WALES**

The Water Industry (Schemes for Adoption  
of Private Sewers) Regulations 2011

*Made* - - - - 23rd June 2011

*Coming into force* - - 1st July 2011

These Regulations are made in exercise of the powers conferred by sections 102(4) (as modified by section 105A(6)(a) of the Water Industry Act 1991), 105A and 213(2)(f) of the Water Industry Act 1991<sup>(1)</sup>.

The Secretary of State and the Welsh Ministers<sup>(2)</sup> have consulted in accordance with the requirements set out in section 105C(2)(3) of that Act.

A draft of these Regulations has been approved by a resolution of each House of Parliament and by the National Assembly for Wales<sup>(4)</sup> in accordance with section 105A(8) of that Act.

Accordingly, the Secretary of State, in relation to any sewerage undertaker whose area is wholly or mainly in England, and the Welsh Ministers, in relation to any sewerage undertaker whose area is wholly or mainly in Wales, make the following Regulations.

- 
- (1) 1991 c. 56. Section 102(4) was amended by the Water Act 2003 (c. 37), section 96(1)(c), and modified by section 105A(6)(a) of the Water Industry Act 1991; see section 219(1) of that Act for the definition of “prescribed”. Section 105A was inserted by the Water Act 2003, section 98. The functions of the Secretary of State under section 105A of the Water Industry Act 1991 were transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672 (“the Order”) (as amended by section 100(2)(b)(vii) of the Water Act 2003), in relation to any water or sewerage undertaker whose area is wholly or mainly in Wales. The functions of the Secretary of State under section 213(2)(f) of the Water Industry Act 1991 were made exercisable by the National Assembly for Wales to the same extent as the powers, duties and other provisions to which that section applies were exercisable by that Assembly by virtue of article 2 of, and Schedule 1 to, the Order. The functions conferred on the National Assembly for Wales were subsequently transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).
- (2) Functions of the Secretary of State under section 105C of the Water Industry Act 1991 were transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the Order (as amended by section 100(2)(b)(vii) of the Water Act 2003). The functions conferred on the National Assembly for Wales were subsequently transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006. Consultation undertaken by the National Assembly for Wales has effect as if carried out by the Welsh Ministers, by virtue of section 162 of, and paragraph 39(3) of Schedule 11 to, the Government of Wales Act 2006.
- (3) Section 105C was inserted by the Water Act 2003, section 98.
- (4) The reference in section 105A(8) to each House of Parliament has effect in relation to the exercise of functions by the Welsh Ministers as if it included a reference to the National Assembly for Wales, by virtue of section 162 of, and paragraph 33 of Schedule 11 to, the Government of Wales Act 2006.