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STATUTORY INSTRUMENTS

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**2015 No. 773**

**The Water Act 2014 (Commencement No. 3  
and Transitional Provisions) Order 2015**

**Provisions of the 2014 Act coming into force on 6th April 2015**

2.—(1) The following provisions of the 2014 Act come into force on 6th April 2015 and are brought into force by the Secretary of State and the Welsh Ministers—

- (a) subject to article 4, section 8 (bulk supply of water by water undertakers) as follows<sup>(1)</sup>—
  - (i) section 8(1) so far as it inserts section 40J (duty to provide information about bulk supplies) into the 1991 Act; and
  - (ii) section 8(2) so far as it relates to section 40J of the 1991 Act;
- (b) section 17 (rules about charges for connections etc.) so far as it inserts section 144ZD (rules under section 144ZA: guidance) into the 1991 Act<sup>(2)</sup>; and
- (c) subject to article 4, section 24 (strategic priorities and objectives)<sup>(3)</sup>.

(2) The following provisions of the 2014 Act come into force on 6th April 2015 and are brought into force by the Secretary of State only—

- (a) subsection (2) of section 14 (exceptions to duty and undertakings in lieu of merger references) so far as it inserts section 33C (statement of methods) into the 1991 Act; and
- (b) subject to article 5, chapter 4 of Part 1 (retail exit: non-household premises) as follows—
  - (i) section 42 (retail exit: non-household premises);
  - (ii) section 43 (application for retail exit);
  - (iii) section 44 (eligible licensees);
  - (iv) section 45 (transfer of undertaking);
  - (v) section 46 (operation of retail market);
  - (vi) section 47 (operation of retail market: charges etc.);
  - (vii) section 49 (modification of appointment and licence conditions);
  - (viii) section 51 (exit regulations: general);
  - (ix) section 52 (interpretation); and
  - (x) section 53 (procedure) except so far as subsection (1)(f) relates to sewerage licensees.

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- (1) The Secretary of State and the Welsh Ministers are the appropriate authority for the purposes of section 8 as “the Minister”, as defined in section 40I(7) of the 1991 Act (as inserted by section 8(1) of the 2014 Act). This is in relation to bulk supply agreements to which the parties are (or would be) water undertakers whose area is wholly or mainly in England or the parties are (or would be) water undertakers whose area is wholly or mainly in Wales.
  - (2) The Secretary of State is the appropriate authority for the purposes of section 17 in relation to wholly or mainly English undertakers and the Welsh Ministers are the appropriate authority in relation to wholly or mainly Welsh undertakers.
  - (3) The Secretary of State is the appropriate authority for the purposes of section 24, in relation to the insertion of section 2A into the 1991 Act by section 24(1) and in relation to the amendments made by sections 24(2) and (3) so far as relating to section 2A. The Welsh Ministers are the appropriate authority in relation to the insertion of section 2B into the 1991 Act by section 24(1) and in relation to the amendments made by sections 24(2) and (3) so far as relating to section 2B.

(3) Subject to article 6, the following provisions of the 2014 Act come into force on 6th April 2015 and are brought into force by the Welsh Ministers only—

- (a) section 23 (general duty as regards undue preference in the provision of services) except so far as it relates to sewerage licensees in section 2(3)(ba)(ii) of the 1991 Act<sup>(4)</sup>; and
- (b) section 38 (guidance relating to rules about charges) except so far as it relates to sewerage licensees in section 144ZE(9)(e) of the 1991 Act<sup>(5)</sup>.

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(4) The Welsh Ministers are the appropriate authority for the purposes of section 23 in relation to wholly or mainly Welsh undertakers.

(5) The Welsh Ministers are the appropriate authority for the purposes of section 38 in relation to wholly or mainly Welsh undertakers.

**Changes to legislation:**

There are currently no known outstanding effects for the The Water Act 2014 (Commencement No. 3 and Transitional Provisions) Order 2015, Section 2.