

---

STATUTORY INSTRUMENTS

---

**2017 No. 462**

**The Water Act 2014 (Commencement No. 9  
and Transitional Provisions) Order 2017**

**Transitional provisions in relation to old section 66B of the 1991 Act**

7.—(1) Until new section 66B(1) of the 1991 Act comes into force, old section 66B of the 1991 Act applies as if the modifications in paragraphs (2) to (8) have effect.

(2) A reference to a qualifying licensed water supplier is to be treated as a reference to a qualifying water supply licensee.

(3) A reference to a retail authorisation is to be treated as a reference to a restricted retail authorisation given by a new water supply licence, or a new retail authorisation, as appropriate.

(4) A reference to the supply system of a water undertaker is to be treated as a reference to the supply system of a water undertaker as it is described in old section 17B of the 1991 Act<sup>(1)</sup>.

(5) Old section 66D(1) of the 1991 Act applies in relation to a case referred to the Authority for a determination as to whether any condition specified in old section 66B(5) or (6) of the 1991 Act is satisfied and a reference to a licensed water supplier in old section 66D(1) of the 1991 Act is to be treated as a reference to a qualifying water supply licensee.

(6) Old sections 66D(2) to (8), 66E and 66F of the 1991 Act apply for the purpose of determining—

- (a) the period for which, and
- (b) the terms and conditions on which,

a water undertaker's duties under old section 66B of the 1991 Act are to be performed and a reference to a licensed water supplier in old sections 66D(2) to (8), 66E and 66F of the 1991 Act is to be treated as a reference to a qualifying water supply licensee.

(7) A reference to treatment works is to be construed as follows—

- (a) in relation to a water undertaker whose area is wholly or mainly in England, as a reference to works developed or maintained by the water undertaker for the purpose of complying with its duty under section 37 of the 1991 Act<sup>(2)</sup>;
- (b) in relation to a water undertaker whose area is wholly or mainly in Wales, as a reference to works designated from time to time by the Welsh Ministers as treatment works for the purposes of old section 66B(8)(a) of the 1991 Act;
- (c) in relation to a qualifying water supply licensee with a new supplementary authorisation, as a reference to works designated from time to time by the Welsh Ministers as treatment works for the purposes of old section 66B(8)(b) of the 1991 Act;
- (d) in relation to a qualifying water supply licensee with a new wholesale authorisation, as a reference to works owned or operated by the licensee and used for the introduction of water into the undertaker's supply system in accordance with its new wholesale authorisation.

---

(1) Old section 17B was inserted by paragraph 2 of Schedule 4 to the Water Act 2003 (c.37).

(2) Section 37 was amended by section 26(2) of the Water Act 2003 and paragraph 46 of Schedule 7 to the 2014 Act.

---

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

---

(8) A reference to the Secretary of State, except in old section 66B(9) of the 1991 Act, is to be treated as a reference to the Welsh Ministers in relation to a water undertaker whose area is wholly or mainly in Wales or in relation to a qualifying water supply licensee with a new supplementary authorisation.

(9) In this article, “qualifying water supply licensee” means a new water supply licensee with a new supplementary authorisation or a new wholesale authorisation.