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STATUTORY INSTRUMENTS

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**2022 No. 1302**

**WATER RESOURCES, ENGLAND**

**The Water Abstraction (Transitional Provisions)  
(Amendment) (England) Regulations 2022**

<i>Made</i>	- - - -	<i>6th December 2022</i>
<i>Laid before Parliament</i>		<i>8th December 2022</i>
<i>Coming into force</i>	- -	<i>31st December 2022</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 34(2) and 219(2)(f) of the Water Resources Act 1991<sup>(1)</sup> and sections 103(1) and 104(4) and (6) of the Water Act 2003.

**Citation, commencement, extent and application**

1.—(1) These Regulations may be cited as the Water Abstraction (Transitional Provisions) (Amendment) (England) Regulations 2022 and come into force on 31st December 2022.

(2) These Regulations extend to England and Wales and apply to England only.

**Amendment of the Schedule to the Water Abstraction (Transitional Provisions) Regulations 2017**

2.—(1) The Water Abstraction (Transitional Provisions) Regulations 2017<sup>(2)</sup> are amended as follows.

(2) In the Schedule, in Part 2, in paragraph 10—

(a) in sub-paragraph (1) for “31st December 2022” substitute “the determination end date”;

(b) after sub-paragraph (2) insert—

“(3) In this paragraph, “determination end date”, in relation to England, means 30th June 2023.”

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(1) 1991 c. 57. Section 34(2) was amended by paragraph 2 of Schedule 7 to the Water Act 2003 (c. 37).

(2) S.I. 2017/1047, amended by S.I. 2019/1455.

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**Status:** *This is the original version (as it was originally made).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

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6th December 2022

*Rebecca Pow*  
Parliamentary Under Secretary of State  
Department for Environment, Food and Rural  
Affairs

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Water Abstraction (Transitional Provisions) Regulations 2017 (S.I. 2017/1047) (the “Transitional Regulations”) in England. The Transitional Regulations were made pursuant to amendments made by the Water Act 2003 (c. 37) to the Water Resources Act 1991 (c. 57) (“the 1991 Act”). Those amendments limited or removed certain exemptions from the restriction on abstraction in the 1991 Act (i.e. to limit or remove certain categories of abstraction for which a licence was not required). The Transitional Regulations provide a regime whereby certain abstractors who are not currently required to hold a licence to abstract water can obtain a licence. These Regulations extend the deadline by which the Environment Agency (as appropriate agency) must notify the applicant in writing of its decision on an application for a licence, from 31st December 2022 to 30th June 2023.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.