
STATUTORY INSTRUMENTS

2005 No. 968

**The Water Act 2003 (Commencement No. 4,
Transitional Provisions and Savings) Order 2005**

Provisions coming into force on 1st April 2005

2. The following provisions of the Act shall come into force on 1st April 2005—
- (a) section 6 (rights to abstract small quantities), for all remaining purposes;
 - (b) section 10 (orders under section 33 of the WRA, etc)(1), for all remaining purposes;
 - (c) in section 16 (protection from derogation), subsection (1), in so far as it relates to subsections (4) and (5), and subsections (4) and (5);
 - (d) section 17 (protected rights);
 - (e) section 36(3) to (6) (transfer to Water Services Regulation Authority and Council of functions, property etc);
 - (f) section 39 (objectives and duties under WIA);
 - (g) section 40 (guidance to the Authority on social and environmental matters);
 - (h) sections 41 and 42 (standards of performance in relation to water supply and sewerage services);
 - (i) section 48 (financial penalties), for all remaining purposes;
 - (j) section 51 (reasons for decisions);
 - (k) section 70 (information);
 - (l) in section 100 (devolution: Wales)—
 - (i) subsection (2)(a)(i), (ii), (vii) and (ix), (b)(i), (iii), (vi) and (x) and (d), in so far as it relates to provisions amended or introduced by any provision of the Act which is brought into force by virtue of this article;
 - (ii) subsection (2)(b)(iii), in so far as it relates to provisions amended or introduced by any provision of the Act which was brought into force by virtue of article 2 of the Water Act 2003 (Commencement No. 2, Transitional Provisions and Savings) Order 2004(2);
 - (iii) subsection (6), in so far as it relates to references to provisions amended or introduced by any provision of the Act which is brought into force by virtue of this article; and
 - (iv) subsection (7), in so far as it relates to subsection (6) (so far as brought into force by sub-paragraph (iii)) or the amendments made by subsection (2) (so far as brought into force by sub-paragraphs (i) and (ii));
 - (m) section 101(1) (minor and consequential amendments and repeals), in so far as it relates to the amendments made—

(1) The expression “the WRA” means the Water Resources Act 1991 (c. 57) (section 105(2) of the Act).

(2) S.I.2004/2528 (C. 106).

- (i) by paragraph 30 of Schedule 7; and
- (ii) in paragraph 32 of Schedule 7, by sub-paragraph (4) for all remaining purposes, and by sub-paragraph (1) in so far as it relates to sub-paragraph (4) as brought into force by this article; and
- (n) section 101(2), in so far as it relates to the following repeals specified in Schedule 9—
 - (i) the repeals in relation to sections 39, 44(5), 96 and 195(2) of the WIA;
 - (ii) the repeal of sections 28 and 39(3) of the WRA;
 - (iii) the repeal of section 50 of the Competition and Service (Utilities) Act 1992⁽³⁾;
 - (iv) the repeal of paragraph 5(3) of Schedule 10 to the Competition Act 1998⁽⁴⁾; and
 - (v) the repeal in relation to the reference in Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999⁽⁵⁾ to section 2 of the WIA, in so far as it relates to provisions amended or introduced by any provision of the Act which is brought into force by virtue of this article.

⁽³⁾ 1992 c. 43.

⁽⁴⁾ 1998 c. 41.

⁽⁵⁾ S.I. 1999/672.

Changes to legislation:

There are currently no known outstanding effects for the The Water Act 2003 (Commencement No. 4, Transitional Provisions and Savings) Order 2005, Section 2.