
WELSH STATUTORY INSTRUMENTS

2016 No. 843

**The Water Quality and Supply (Fees) (Undertakers
Wholly or Mainly in Wales) Order 2016**

Interpretation

2. In this Order—

“the 1991 Act” (“*Deddf 1991*”) means the Water Industry Act 1991;

“inspector” (“*arolygydd*”) means a person appointed under section 86(1) of the 1991 Act (assessors for the enforcement of water quality)⁽¹⁾;

“relevant water supplier” (“*cyflenwr dŵr perthnasol*”) means—

- (a) a company appointed as a water undertaker⁽²⁾ whose area is wholly or mainly in Wales; or
- (b) a company which is the holder of a water supply licence within the meaning of section 17A of the 1991 Act⁽³⁾ (licensing of water suppliers) which is using the supply system⁽⁴⁾ of a water undertaker whose area is wholly or mainly in Wales.

(1) Section 86(1) was amended by sections 56, 57 and 101 of, and Schedules 7, 8 and 9 to, the Water Act 2003 (c. 37). The functions of the Secretary of State under section 86 (except subsection (1A)) were transferred to the National Assembly for Wales in relation to Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) (“the 1999 Order”). The power to appoint inspectors under section 86 were transferred to the Assembly to the same extent as the powers, duties and other provisions to which section 86 applies are exercisable by the Assembly. by article 2 of the 1999 Order. By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32), functions conferred on the Assembly are now exercisable by the Welsh Ministers.

(2) As defined in section 6 of the 1991 Act.

(3) Section 17A was inserted by section 56 of, and Schedule 4 to, the Water Act 2003. It was then amended by section 1 of the Water Act 2014, but not all of the amendments have been commenced.

(4) See section 17B(5) of the 1991 Act for the meaning of “supply system” of a water undertaker whose area is wholly or mainly in Wales. Section 17B was inserted by section 56 of, and Schedule 4 to, the Water Act 2003. Sections 2, 5 and 56 of, and Schedules 5 and 7 to, the Water Act 2014 make further amendments to section 17B which have been partially commenced.