



Water Resources Act 1991

1991 CHAPTER 57

PART IX

MISCELLANEOUS AND SUPPLEMENTAL

Powers to make regulations

219 Powers to make regulations

- (1) Any power of one or both of the Ministers to make regulations under any provision of this Act shall be exercisable by statutory instrument subject (except in the case of regulations made by virtue of paragraph 1(3) of Schedule 15 to this Act) to annulment in pursuance of a resolution of either House of Parliament.
- (2) Subject to subsection (3) below, the provisions of any regulations made by one or both the Ministers under this Act may include-
 - (a) provision for any duty or other requirement imposed by the regulations on a water undertaker or sewerage undertaker to be enforceable under section 18 of the Water Industry Act 1991 by the Secretary of State, by the Director or by either of them;
 - (b) provision, where such a duty or requirement is so enforceable by either of them, for enforcement by the Director to be subject to such consent or authorisation as may be prescribed;
 - (c) provision which, in relation to the furnishing of any information or the making of any application under the regulations, makes provision corresponding to section 206(1) and (5) above;
 - (d) provision for anything that may be prescribed by the regulations to be determined under the regulations and for anything falling to be so determined to be determined by such persons, in accordance with such procedure and by reference to such matters, and to the opinion of such persons, as may be prescribed;
 - (e) different provision for different cases, including different provision in relation to different persons, circumstances or localities; and

Status: This is the original version (as it was originally enacted).

- (f) such supplemental, consequential and transitional provision as the Minister or Ministers exercising the power considers or consider appropriate.
- (3) The powers to make regulations under any of the provisions of Chapter II of Part II, under any of the flood defence provisions of this Act or under section 189 or 199 above or paragraph 10 of Schedule 2 to this Act—
- (a) shall not, except to the extent that they would do so apart from this section, include any of the powers conferred by subsection (2) above; but
 - (b) in the case of the powers conferred by section 108(7) above and paragraph 10 of Schedule 2 to this Act, shall include power to make different provision in relation to different classes of person.