



# Water Act 2003

## 2003 CHAPTER 37

### PART 2

#### NEW REGULATORY ARRANGEMENTS, ETC

##### *Establishment, etc of new bodies*

### 35 Consumer Council for Water

(1) After section 27 of the WIA there is inserted—

*“The Consumer Council for Water*

#### **27A Establishment of the Council and committees**

- (1) There shall be a body corporate to be known as the Consumer Council for Water (in this Act referred to as “the Council”) for the purpose of carrying out the functions of the Council under this Act.
- (2) In Welsh the Council may be known as “Cyngor Defnyddwyr Dŵr”.
- (3) The Council shall not be regarded as a servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown.
- (4) The Council shall establish such committees of the Council—
  - (a) as the Assembly may direct, for relevant undertakers whose areas are wholly or mainly in Wales; and
  - (b) as the Secretary of State may direct, for other relevant undertakers.
- (5) A direction under subsection (4) above may provide for the allocation of each relevant undertaker to a committee specified in the direction.

---

*Changes to legislation: Water Act 2003, Section 35 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (6) The power to give a direction under subsection (4) above may not be exercised after the end of the period of six months beginning with the commencement of section 35 of the Water Act 2003.
- (7) After the end of the period mentioned in subsection (6) above the Council may (subject to paragraph 11 of Schedule 3A to this Act)—
  - (a) establish such committees for relevant undertakers as it considers appropriate; or
  - (b) alter the allocation of a relevant undertaker to a committee established under this section.
- (8) The Council shall ensure that each relevant undertaker is allocated to a committee established under this section.
- (9) A committee established under this section is referred to in this Act as a “regional committee”.
- (10) The purposes of a regional committee shall be—
  - (a) the provision of advice and information to the Council on consumer matters affecting the areas of the relevant undertakers allocated to that committee;
  - (b) such other purposes as the Council may determine.
- (11) The provisions of Schedule 3A to this Act (which makes further provision about the Council and regional committees) shall have effect.
- (12) The Council shall exercise and perform its powers and duties in the manner which it considers is best calculated to contribute to the achievement of sustainable development.
- (13) In this Chapter—
  - “consumers” includes both existing and future consumers;
  - “the interests of consumers” means the interests of consumers in relation to—
    - (a) the supply of water by means of a water undertaker’s supply system to premises either by water undertakers or by licensed water suppliers acting in their capacity as such; and
    - (b) the provision of sewerage services by sewerage undertakers; and
  - “consumer matter” means any matter connected with the interests of consumers.

### **27B Co-operation between Council and other authorities**

- (1) This section imposes duties on—
  - (a) the Authority and the Council;
  - (b) the Council and the Secretary of State; and
  - (c) the Council and the Assembly.
- (2) It shall be the duty of the bodies mentioned in each paragraph of subsection (1) above to make arrangements with a view to securing—
  - (a) co-operation and the exchange of information between them; and
  - (b) the consistent treatment of matters which affect both of them.

---

**Changes to legislation:** *Water Act 2003, Section 35 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (3) As soon as practicable after agreement is reached on any arrangements required by this section, the parties shall prepare a memorandum setting them out.
  - (4) Arrangements under this section shall be kept under review by the parties.
  - (5) As soon as practicable after agreement is reached on any changes to arrangements under this section, the parties shall revise their memorandum.
  - (6) Parties to arrangements required by this section shall send a copy of their memorandum, and any revised memorandum, to each other person mentioned in subsection (1) above who is not a party to the arrangements set out in the memorandum (or revised memorandum).
  - (7) The Secretary of State shall lay a copy of every memorandum or revised memorandum under this section before each House of Parliament.”
- (2) Schedule 2 (which inserts the new Schedule 3A into the WIA) is to have effect.
  - (3) The customer service committees established under section 28(1) of the WIA are abolished.
  - (4) Section 28 of, and Schedule 4 to, the WIA shall cease to have effect.

#### **Commencement Information**

- I1** S. 35(1) in force at 1.8.2005 for specified purposes by S.I. 2005/968, **art. 3(a)**
- I2** S. 35(1) in force at 1.10.2005 for specified purposes by S.I. 2005/2714, **art. 2(a)(i)** (with Sch. para. 8)
- I3** S. 35(1) in force at 1.4.2006 in so far as not already in force by S.I. 2005/2714, **art. 4(b)** (with Sch. para. 8)
- I4** S. 35(2)(3)(4) in force at 1.10.2005 by S.I. 2005/2714, **art. 2(a)(ii)** (with Sch. para. 48)

**Changes to legislation:**

Water Act 2003, Section 35 is up to date with all changes known to be in force on or before 30 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 52(9) inserted by [2014 c. 21 Sch. 7 para. 133\(3\)](#)