



Water Act 2003

2003 CHAPTER 37

PART 2

NEW REGULATORY ARRANGEMENTS, ETC

Establishment, etc of new bodies

38 Forward work programmes and annual reports

(1) Before section 193 of the WIA there is inserted—

“192A Forward work programmes

- (1) The Authority and the Council shall, before each financial year, each publish a document (the “forward work programme”) containing a general description of the projects, other than those comprising routine activities in the exercise of its functions, which it plans to undertake during the year.
- (2) That description must include the objectives of each project.
- (3) The forward work programme for any year shall also include an estimate of the overall expenditure which the Authority or the Council expects to incur during the year in the exercise of its functions.
- (4) Before publishing the forward work programme for any year, the Authority or the Council shall give notice—
 - (a) containing a draft of the forward work programme; and
 - (b) specifying the time within which representations or objections to the proposals contained in it may be made,and shall consider any representations or objections which are duly made and not withdrawn.
- (5) The notice under subsection (4) above must be published by the Authority or the Council in such manner as it considers appropriate for the purpose of

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bringing the matters contained in it to the attention of persons likely to be affected by them.

- (6) The Authority must send a copy of any notice given by it under subsection (4) above to the Council, the Secretary of State and the Assembly.
- (7) The Council must send a copy of any notice given by it under subsection (4) above to the Authority, the Secretary of State and the Assembly.

192B Annual and other reports

- (1) The Authority shall, as soon as practicable after the end of each financial year, make to the Secretary of State a report (the “annual report” for that year) on—
 - (a) its activities during that year; and
 - (b) the activities of the Competition Commission during that year in respect of any references made by it.
- (2) The annual report for each year shall include—
 - (a) a general survey of developments in respect of matters falling within the scope of the Authority’s functions;
 - (b) a report on the progress of the projects described in the forward work programme for that year;
 - (c) a summary of final and provisional orders made and penalties imposed by the Authority during the year;
 - (d) a report on such matters relating to any relevant undertaker whose area is wholly or mainly in Wales as the Assembly may from time to time require; and
 - (e) a report on such other matters as the Secretary of State may from time to time require.
- (3) The annual report for each year shall set out any general directions given by the Secretary of State under section 27(3) above.
- (4) The Secretary of State or (as the case may be) the Assembly shall consult the Authority before exercising the power under subsection (2)(d) or (e) above in relation to any matter.
- (5) The Secretary of State shall—
 - (a) lay a copy of each annual report before each House of Parliament; and
 - (b) arrange for the report to be published in such manner as he considers appropriate.
- (6) The Authority may also prepare other reports with respect to any matter falling within the scope of its functions and may arrange for any such report to be published in such manner as it considers appropriate.
- (7) The Authority shall send a copy of each annual or other report under this section to the Assembly, the Council and the Chief Inspector of Drinking Water.
- (8) In making or preparing any report under this section the Authority shall have regard to the need for excluding, so far as that is practicable, any matter which relates to the affairs of a particular individual or body of persons (corporate or unincorporate), where publication of that matter would or might, in the

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opinion of the Authority, seriously and prejudicially affect the interests of that individual or body.”

- (2) Sections 193 and 194 of the WIA (which make provision about annual and other reports by the Director General of Water Services and customer service committees) shall cease to have effect.

Commencement Information

- I1** [S. 38\(1\)](#) in force at 1.10.2004 by [S.I. 2004/2528](#), **art. 2(d)** (with [Sch. para. 238](#))
I2 [S. 38\(2\)](#) in force at 1.10.2004 for specified purposes by [S.I. 2004/2528](#), **art. 2(d)** (with [Sch. para. 8](#))
I3 [S. 38\(2\)](#) in force at 1.10.2005 in so far as not already in force by [S.I. 2005/2714](#), **art. 2(b)** (with [Sch. para. 8](#))

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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\(3\)](#)