



# Water Act 2014

## 2014 CHAPTER 21

### PART 1

#### WATER INDUSTRY

### CHAPTER 3

#### REGULATION OF THE WATER INDUSTRY

*Regulation of relevant undertakers, water supply licensees and sewerage licensees*

## **28 Frequency of water resources management and drought plans**

- (1) The Water Industry Act 1991 is amended as follows.
- (2) In section 37A (water resources management plans: preparation and review)—
  - (a) in subsection (1), after “prepare” there is inserted “, publish”;
  - (b) in subsection (4), after “preparing” there is inserted “and publishing”;
  - (c) in subsection (6), in the opening words, after “prepare” there is inserted “and publish”.
- (3) In section 37D (water resources management plans: supplementary), after subsection (3) there is inserted—
  - “(4) The Minister may by order made by statutory instrument amend the period for the time being specified in section 37A(6)(c).
- (5) In subsection (4), “the Minister” means—
  - (a) the Secretary of State, in relation to an order applying to water undertakers whose areas are wholly or mainly in England, and
  - (b) the Welsh Ministers, in relation to an order applying to water undertakers whose areas are wholly or mainly in Wales.

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*Status: This is the original version (as it was originally enacted).*

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- (6) A statutory instrument containing an order made by the Secretary of State under subsection (4) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) A statutory instrument containing an order made by the Welsh Ministers under subsection (4) is subject to annulment in pursuance of a resolution of the Assembly.
- (8) Subsection (9) applies in relation to a statutory instrument containing both—
  - (a) an order made by the Secretary of State under subsection (4), and
  - (b) an order made by the Welsh Ministers under subsection (4).
- (9) If in accordance with subsection (6) or (7) (negative resolution procedure)—
  - (a) either House of Parliament resolves that an address be presented to Her Majesty praying that an instrument containing an order made by the Secretary of State be annulled, or
  - (b) the Assembly resolves that an instrument containing an order made by the Welsh Ministers be annulled,
 the instrument is to have no further effect and Her Majesty may by Order in Council revoke the instrument.”
- (4) In section 39B (drought plans: preparation and review)—
  - (a) in subsection (1), after “prepare” there is inserted “, publish”;
  - (b) in subsection (6)—
    - (i) in the opening words, after “prepare” there is inserted “and publish”;
    - (ii) in paragraph (c) (long-stop date) for “three years” there is substituted “five years”.
- (5) After section 39C (drought plans: provision of information) there is inserted—

**“39D Drought plans: supplementary**

- (1) The Minister may by order made by statutory instrument amend the period for the time being specified in section 39B(6)(c).
- (2) In subsection (1), “the Minister” means—
  - (a) the Secretary of State, in relation to an order applying to water undertakers whose areas are wholly or mainly in England, and
  - (b) the Welsh Ministers, in relation to an order applying to water undertakers whose areas are wholly or mainly in Wales.
- (3) A statutory instrument containing an order made by the Secretary of State under subsection (1) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) A statutory instrument containing an order made by the Welsh Ministers under subsection (1) is subject to annulment in pursuance of a resolution of the Assembly.
- (5) Subsection (6) applies in relation to a statutory instrument containing both—
  - (a) an order made by the Secretary of State under subsection (1), and
  - (b) an order made by the Welsh Ministers under subsection (1).

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

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- (6) If in accordance with subsection (3) or (4) (negative resolution procedure)—
- (a) either House of Parliament resolves that an address be presented to Her Majesty praying that an instrument containing an order made by the Secretary of State be annulled, or
  - (b) the Assembly resolves that an instrument containing an order made by the Welsh Ministers be annulled,
- the instrument is to have no further effect and Her Majesty may by Order in Council revoke the instrument.”