
STATUTORY INSTRUMENTS

2005 No. 1905

WATER, ENGLAND AND WALES

The Drought Plan Regulations 2005

Made - - - - *10th July 2005*
Laid before Parliament *13th July 2005*
Coming into force - - *1st October 2005*

The National Assembly for Wales in relation to undertakers whose area is wholly or mainly in Wales, and the Secretary of State in relation to all other undertakers, in exercise of the powers conferred upon them by sections 37B(3),(5), (6) and (8), 39B(5), 213(2)(e) and (f) and 219 of the Water Industry Act 1991(1), and after consultation with each other(2), make the following Regulations:

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- (1) 1991 c. 56. Sections 37B and 39B were inserted into the Water Industry Act 1991 by sections 62 and 63 of the Water Act 2003 (c. 37). Section 39B(5) applies the provisions of section 37B to drought plans. See the definition of “prescribed” in section 219 of the Water Industry Act 1991. Functions of the Secretary of State under sections 37B and 39B(5) are transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672) (“the Order”), as amended by section 100(2)(g) and (3) of the Water Act 2003. Functions under those provisions so far as relating to matters other than the construction or enlargement of reservoirs are transferred to the Assembly in relation to any water undertaker whose area is wholly or mainly in Wales.
- (2) Article 2 of, and Schedule 1 to, the Order (as amended by section 100(3) of the Water Act 2003) provide that the functions referred to above, so far as exercisable in relation to England, shall be exercisable only after consultation with the Secretary of State. Article 5 of, and Schedule 2 to, the Order provide that, in so far as they are exercisable in relation to Wales, the functions referred to above shall be exercisable only after consultation with the Assembly.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Drought Plan Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations.