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STATUTORY INSTRUMENTS

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**2005 No. 2714**

**The Water Act 2003 (Commencement No. 5,  
Transitional Provisions and Savings) Order 2005**

**Provisions coming into force on 1st October 2005**

2. The following provisions shall come into force on 1st October 2005—
- (a) in section 35 (the Council)—
    - (i) subsection (1) in so far as it inserts into the WIA section 27A (establishment of the Council and committees) for all remaining purposes; and
    - (ii) subsections (2), (3) and (4);
  - (b) section 38 (forward work programmes and annual reports) for all remaining purposes;
  - (c) section 43 (general functions of the Council);
  - (d) section 44 (provision of information to the Council);
  - (e) section 45 (provision of statistical information to consumers etc);
  - (f) section 46 (consumer complaints);
  - (g) section 47 (investigations by the Council);
  - (h) section 56 (licensing of other water suppliers), but only in so far as it has application to paragraphs 1 and 2 of Schedule 4 and—
    - (i) in its application to paragraph 2, only in so far as that paragraph has effect for the purposes of inserting into the WIA sections 17K, 17M, 17P and 17Q; and
    - (ii) in its application to paragraph 1, only for the purpose of giving effect to paragraph 2 of that Schedule to the extent specified in sub-paragraph (i) above;
  - (i) section 62 (water resources management plans) in so far as it has effect for all remaining purposes as respects the insertion into the WIA of section 37B;
  - (j) section 63 (drought plans) for all remaining purposes;
  - (k) in section 100 (devolution: Wales)—
    - (i) subsection (2)(a), (iii) to (vi), (viii) and (ix), (b)(vi) and (x) and (g) in so far as it relates to provisions amended or introduced by any provision of the Act which is brought into force by virtue of this article;
    - (ii) subsection (3) in so far as it relates to provisions amended or introduced by any provision of the Act which is brought into force by virtue of this article;
    - (iii) subsection (6) in so far as it relates to references to provisions amended or introduced by any provision of the Act which is brought into force by virtue of this article; and
    - (iv) subsection (7) in so far as it relates to subsection (6) (so far as brought into force by sub-paragraph (iii) above) or the amendments made by subsections (2) and (3) (so far as brought into force by sub-paragraphs (i) and (ii) above);
  - (l) section 101(1) (minor and consequential amendments and repeals) in so far as it relates to the amendments made by the following provisions of Schedule 7—

- (i) paragraphs 16, 17, 19 and 22;
- (ii) in paragraph 18, sub-paragraph (a) in so far as it has effect for the purposes of inserting the entry relating to the Council;
- (iii) in paragraphs 20 and 21—
  - (aa) sub-paragraph (2) in so far as it has effect for the purposes of inserting the entry relating to the Council and the regional committees of the Council;
  - (bb) sub-paragraph (3)(a); and
  - (cc) sub-paragraph (1) in so far as it relates to the provisions mentioned in paragraphs (aa) and (bb) above;
- (iv) in paragraph 26—
  - (aa) sub-paragraph (2)(a)(i)(a) in so far as it has effect for the purposes of inserting the entry relating to the Council;
  - (bb) sub-paragraphs (2)(a)(ii), (2)(b)(ii) and (5); and
  - (cc) sub-paragraph (1) in so far as it relates to the provisions mentioned in paragraphs (aa) and (bb) above;
- (v) in paragraph 27—
  - (aa) sub-paragraphs (3), (4), (6) and (7)(d);
  - (bb) sub-paragraph (5) for all remaining purposes; and
  - (cc) sub-paragraph (1) in so far as it relates to the provisions mentioned in paragraphs (aa) and (bb) above;
- (vi) in paragraph 28—
  - (aa) sub-paragraph (3)(a)(i) and (iv) and (b)(ii); and
  - (bb) sub-paragraph (1) in so far as it relates to the provisions mentioned in paragraph (aa) above; and
- (vii) in paragraph 29, sub-paragraph (2) and sub-paragraph (1) in so far as it relates to that sub-paragraph; and
- (m) section 101(2) in so far as it relates to the following repeals specified in Schedule 9—
  - (i) the repeals of sections 28, 30 and 194 of, and Schedule 4 to, the WIA;
  - (ii) the repeals in relation to the House of Commons Disqualification Act 1975(1) and the Northern Ireland Assembly Disqualification Act 1975(2) in so far as they relate to the Chairman of a customer service committee;
  - (iii) the repeal of Schedule 4, paragraph 6 to the Water Act 1989(3);
  - (iv) the repeal of Schedule 1, paragraphs 10, 28(a) and 29(a) to the Water Consolidation (Consequential Provisions) Act 1991(4); and
  - (v) the repeal in relation to the reference in Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999(5) to section 28(4).

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(1) 1975 c. 24.

(2) 1975 c. 25.

(3) 1989 c. 15.

(4) 1991 c. 60.

(5) S.I. 1999/672, amended by S.I. 2000/253, S.I. 2004/3044 and section 100 of the Act.