
STATUTORY INSTRUMENTS

2007 No. 1021 (C. 42)

WATER, ENGLAND AND WALES

The Water Act 2003 (Commencement No.
7 and Transitional Provisions) Order 2007

Made - - - - 23rd March 2007

The Secretary of State makes the following Order in exercise of the powers conferred by sections 104(6)(a) and 105(3) to (6) of the Water Act 2003⁽¹⁾ and having consulted the National Assembly for Wales⁽²⁾:

Citation

1. This Order may be cited as the Water Act 2003 (Commencement No. 7 and Transitional Provisions) Order 2007.

Provisions coming into force on 1st April 2007

2. The following provisions of the Water Act 2003 come into force on 1st April 2007—
- (a) section 62 (water resources management plans) for all remaining purposes;
 - (b) section 98 (schemes for the adoption of sewers, lateral drains and sewage disposal works);
 - (c) in section 100 (devolution: Wales), subsections (2), (3), (6) and (7) for all remaining purposes; and
 - (d) in section 101 (minor and consequential amendments and repeals), subsection (1) in so far as it relates to amendments made by paragraph 39 of Schedule 7.

Transitional provisions

- 3.—(1) The following provisions are revoked—
- (a) paragraph 5 (effect of certain provisions in relation to references to the Competition Commission) of the Schedule to the Water Act 2003 (Commencement No. 2, Transitional Provisions and Savings) Order 2004⁽³⁾;

(1) [2003 c. 37](#).

(2) The power in section 105(3) to appoint a day on which provisions of the Water Act 2003 shall come into force is vested in the “appropriate authority”. The appropriate authority in relation to the provisions of that Act for which a day is appointed by this Order is the Secretary of State after consulting “the Assembly” (the National Assembly for Wales: see section 105(2)).

(3) [S.I. 2004/2528 \(C.106\)](#), amended by [S.I. 2005/968 \(C.43\)](#).

Status: Point in time view as at 23/03/2007.

Changes to legislation: There are currently no known outstanding effects for the The Water Act 2003 (Commencement No. 7 and Transitional Provisions) Order 2007. (See end of Document for details)

- (b) paragraphs 5 (effect of certain water supply licensing provisions), 6 (effect of provisions in relation to water resources management plans) and 7 (devolution: Wales) of the Schedule to the Water Act 2003 (Commencement No. 5, Transitional Provisions and Savings) Order 2005(4); and
 - (c) paragraphs 8 (effect of provisions in relation to water resources management plans) and 9 (devolution: Wales) of the Schedule to the Water Act 2003 (Commencement No. 6, Transitional Provisions and Savings) Order 2006(5).
- (2) Paragraph (1) comes into force on 1st April 2007.

Ian Pearson
Minister of State,
Department for Environment, Food and Rural
Affairs

23rd March 2007

(4) S.I. 2005/2714 (C.109).
(5) S.I. 2006/984 (C.30).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st April 2007 in England and Wales certain provisions of the Water Act 2003 (“the Act”) and makes certain transitional provisions.

This Order gives full effect to the provisions of Part 2 of the Act in relation to the new regulatory arrangements for the water industry and the new water supply licensing regime. This completes the implementation of Part 2 of the Act.

The provisions of Part 3 of the Act brought into force by this Order require water undertakers to prepare and maintain water resources management plans. They also make provision for schemes for the adoption of sewers, lateral drains and sewage disposal works.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Water Act 2003 (“the Act”) have been brought into force in England and Wales by commencement orders made before the date of this Order:

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|------------------|-----------------------------|-----------------------------------|
| ss. 1 to 4 | 1.4.2006 | 2006/984 (C.30) |
| s. 6 | 1.4.2004 & 1.4.2005 | 2004/641 (C.24) & 2005/968 (C.43) |
| s. 8 (partially) | 1.4.2006 | 2006/984 (C.30) |
| s. 9 | 1.4.2004 | 2004/641 (C.24) |
| s. 10 | 1.4.2004 & 1.4.2005 | 2004/641 (C.24) & 2005/968 (C.43) |
| ss. 11 to 14 | 1.4.2006 | 2006/984 (C.30) |
| s. 15 | 1.4.2004 | 2004/641 (C.24) |
| s. 16 | 1.4.2004 & 1.4.2005 | 2004/641 (C.24) & 2005/968 (C.43) |
| s. 17 | 1.4.2005 | 2005/968 (C.43) |
| s. 18 | 1.4.2004 | 2004/641 (C.24) |

(#) The remainder of this section and Schedule was repealed by paragraph 172 of Schedule 11 to the Natural Environment and Rural Communities Act 2006 with effect from 1st October 2006: see the Natural Environment and Rural Communities Act 2006 (Commencement No. 3 and Transitional Provisions) Order 20067.

(‡) These provisions also extend to Scotland and Northern Ireland (section 105(8) of the Act) and were brought into force in Scotland and Northern Ireland by the same Orders.

(*) These provisions also extend partially to Scotland (section 105(9) of the Act) and were brought into force in Scotland by the same Orders.

(†) These provisions also extend to Scotland (section 105(9) of the Act) and were brought into force in Scotland by the same Orders.

Status: Point in time view as at 23/03/2007.

Changes to legislation: There are currently no known outstanding effects for the The Water Act 2003 (Commencement No. 7 and Transitional Provisions) Order 2007. (See end of Document for details)

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--|--------------------------------|---------------------------------------|
| s. 19 | 1.4.2004 & 1.4.2006 | 2004/641 (C.24) & 2006/984 (C.30) |
| s. 20 | 1.4.2004 | 2004/641 (C.24) |
| ss. 21 to 23 | 1.4.2006 | 2006/984 (C.30) |
| s. 24 | 1.4.2005 | 2004/641 (C.24) |
| s. 25 | 1.4.2004 & 1.4.2006 | 2004/641 (C.24) & 2006/984 (C.30) |
| s. 26 | 1.10.2004 | 2004/2528 (C.106) |
| s. 27 | 1.4.2004 | 2004/641 (C.24) |
| ss. 28 and 29 | 1.10.2004 | 2004/2528 (C.106) |
| s. 30 | 1.4.2006 | 2006/984 (C.30) |
| s. 31 | 1.10.2004 | 2004/2528 (C.106) |
| s. 33 | 1.4.2006 | 2006/984 (C.30) |
| s. 34 & Sch 1 (partially) ^(#) | 1.4.2006 | 2005/2714 (C.109) |
| s. 35 & Sch 2 | 1.8.2005, 1.10.2005 & 1.4.2006 | 2005/968 (C.43) & 2005/2714 (C.109) |
| s. 36 & Sch. 3 ^(‡) | 1.4.2005 & 1.4.2006 | 2005/968 (C.43) & 2005/2714 (C.109) |
| s. 37 | 1.4.2004 | 2004/641 (C.24) |
| s. 38 | 1.10.2004 & 1.10.2005 | 2004/2528 (C.106) & 2005/2714 (C.109) |
| ss. 39 to 42 | 1.4.2005 | 2005/968 (C.43) |
| ss. 43 to 47 | 1.10.2005 | 2005/2714 (C.109) |
| s. 48 | 1.10.2004 & 1.4.2005 | 2004/2528 (C.106) & 2005/968 (C.43) |
| ss. 49 and 50 | 1.10.2004 | 2004/2528 (C.106) |
| s. 51 | 1.4.2005 | 2005/968 (C.43) |
| s. 52 | 1.4.2006 | 2005/2714 (C.109) |
| s. 53 ^(*) | 1.4.2004 | 2004/641 (C.24) |

(#) The remainder of this section and Schedule was repealed by paragraph 172 of Schedule 11 to the Natural Environment and Rural Communities Act 2006 with effect from 1st October 2006: see the Natural Environment and Rural Communities Act 2006 (Commencement No. 3 and Transitional Provisions) Order 20067.

(‡) These provisions also extend to Scotland and Northern Ireland (section 105(8) of the Act) and were brought into force in Scotland and Northern Ireland by the same Orders.

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| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|-----------------------------------|--|--|
| ss. 54 and 55 | 1.10.2004 | 2004/2528 (C.106) |
| s. 56 & Sch. 4 | 1.4.2004, 1.8.2005, 1.10.2005 & 1.12.2005 | 2004/641 (C.24), 2005/968 (C.43) & 2005/2714 (C.109) |
| s. 57 | 1.4.2004 | 2004/641 (C.24) |
| s. 59 | 1.10.2004 | 2004/2528 (C.106) |
| ss. 60 and 61 | 1.4.2004 | 2004/641 (C.24) |
| s. 62 (partially) | 1.10.2004, 1.10.2005 & 1.4.2006 | 2004/2528 (C.106), 2005/2714 (C.109) & 2006/984 (C.30) |
| s. 63 | 1.10.2004 & 1.10.2005 | 2004/2528 (C.106) & 2005/2714 (C.109) |
| ss. 64 and 65 | 1.4.2004 | 2004/641 (C.24) |
| s. 66 ^(†) | 1.4.2004 | 2004/641 (C.24) |
| s. 67 | 1.4.2004 | 2004/910 (W. 93) (C.39) |
| s. 68 ^(†) | 1.4.2004 | 2004/641 (C.24) |
| s. 70 | 1.4.2005 | 2005/968 (C.43) |
| s. 71 | 1.4.2004 | 2004/641 (C.24) |
| s. 72 | 1.4.2004 | 2004/641 (C.24) |
| s. 74 ^(*) | 1.10.2004 | 2004/2528 (C.106) |
| s. 76 ^(†) | 1.10.2004 | 2004/2528 (C.106) |
| s. 79 | 1.10.2004 | 2004/2528 (C.106) |
| ss. 82 to 84 | 1.4.2004 | 2004/641 (C.24) |
| s. 85 & Sch. 5 & 6 ^(*) | 1.4.2004 | 2004/641 (C.24) |
| s. 87 | 1.10.2004 | 2004/2528 (C.106) |
| ss. 90 to 97 | 28.5.2004 | 2004/641 (C.24) |
| s. 99 | 28.5.2004 | 2004/641 (C.24) |

(#) The remainder of this section and Schedule was repealed by paragraph 172 of Schedule 11 to the Natural Environment and Rural Communities Act 2006 with effect from 1st October 2006: see the Natural Environment and Rural Communities Act 2006 (Commencement No. 3 and Transitional Provisions) Order 20067.

(‡) These provisions also extend to Scotland and Northern Ireland (section 105(8) of the Act) and were brought into force in Scotland and Northern Ireland by the same Orders.

(*) These provisions also extend partially to Scotland (section 105(9) of the Act) and were brought into force in Scotland by the same Orders.

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| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--------------------------------|--|--|
| s. 100 (partially) | 17.3.2004, 1.4.2004, 28.5.2004, 1.10.2004, 1.4.2005, 1.8.2005, 1.10.2005, 1.12.2005 & 1.4.2006 | 2004/641 (C.24), 2004/2528 (C.106), 2005/968 (C.43), 2005/2714 (C.109) & 2006/984 (C.30) |
| s. 101(1) & Sch. 7 (partially) | 1.4.2004, 1.10.2004, 29.12.2004, 1.4.2005, 1.8.2005, 1.10.2005 & 1.4.2006 | 2004/641 (C.24), 2004/2528 (C.106), 2005/968 (C.43), 2005/2714 (C.109) & 2006/984 (C.30) |
| s. 101(1) & Sch. 8 | 1.4.2004, 1.10.2004 & 1.12.2005 | 2004/641 (C.24), 2004/2528 (C.106) & 2005/2714 (C.109) |
| s. 101(2) & Sch. 9 (partially) | 1.4.2004, 28.5.2004, 1.10.2004, 1.4.2005, 1.10.2005, 1.12.2005, & 1.4.2006 | 2004/641 (C.24), 2004/2528 (C.106), 2005/968 (C.43), 2005/2714 (C.109) & 2006/984 (C.30) |

- (#) The remainder of this section and Schedule was repealed by paragraph 172 of Schedule 11 to the Natural Environment and Rural Communities Act 2006 with effect from 1st October 2006: see the Natural Environment and Rural Communities Act 2006 (Commencement No. 3 and Transitional Provisions) Order 20067.
- (‡) These provisions also extend to Scotland and Northern Ireland (section 105(8) of the Act) and were brought into force in Scotland and Northern Ireland by the same Orders.
- (*) These provisions also extend partially to Scotland (section 105(9) of the Act) and were brought into force in Scotland by the same Orders.
- (†) These provisions also extend to Scotland (section 105(9) of the Act) and were brought into force in Scotland by the same Orders.

The following provisions of the Water Act 2003 have been brought into force in England by commencement orders made before the date of this Order:

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--------------------------------|-----------------------------|-------------------------------------|
| s. 58 (partially) | 18.2.2005 | 2005/344 (C.12) |
| s. 69 | 17.3.2004 | 2004/641 (C.24) |
| s. 75 | 1.4.2004 | 2004/641 (C.24) |
| ss. 77 and 78 | 1.10.2004 | 2004/2528 (C.106) |
| s. 80 | 1.10.2004 | 2004/2528 (C.106) |
| s. 81 | 1.4.2004 | 2004/641 (C.24) |
| s. 86 (partially) | 1.10.2004 | 2004/2528 (C.106) |
| s. 101(1) & Sch. 7 (partially) | 17.3.2004 & 1.10.2004 | 2004/641 (C.24) & 2004/2528 (C.106) |
| s. 101(2) & Sch. 9 (partially) | 17.3.2004 | 2004/641 (C.24) |

The following provisions of the Water Act 2003 have been brought into force in Wales by commencement orders made before the date of this Order:

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--------------------------------|-----------------------------|--|
| s. 69 | 1.4.2004 | 2004/910 (W.93) (C.39) |
| s. 75 | 1.4.2004 | 2004/910 (W.93) (C.39) |
| ss. 77 and 78 | 11.11.2004 | 2004/2916 (W.255) (C.120) |
| ss. 80 and 81 | 11.11.2004 | 2004/2916 (W.255) (C.120) |
| s. 86 (partially) | 11.11.2004 | 2004/2916 (W.255) (C.120) |
| s. 101(1) & Sch. 7 (partially) | 1.4.2004 & 11.11.2004 | 2004/910 (W.93) (C.39) & 2004/2916 (W.255) (C.120) |
| s. 101(2) & Sch. 9 (partially) | 1.4.2004 & 11.11.2004 | 2004/910 (W.93) (C.39) & 2004/2916 (W.255) (C.120) |

Status:

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Changes to legislation:

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