

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force provisions of the Flood and Water Management Act 2010 (“the Act”) to provide power for Ministers to make orders and regulations to give effect to the Act. The Order refers to the relevant definitions of “the Minister”.

Article 3 provides that sections 4 and 36 of the Act, and some definition sections, come into force on 1st September 2010, so far as to enable Ministers to make orders relating to flood risk management functions and temporary hosepipe bans; those sections come into force on 1st October 2010 for all other purposes.

The Schedule (introduced by article 4) specifies other provisions which are to come into force on 1st October 2010. These include the power to make regulations relating to levies (section 17), adoption of drains or sewers by the sewerage undertaker (section 42), liability of occupiers of residential premises for water and sewerage charges (section 45), duties of a risk management authority (paragraph 54 of Schedule 2) and special administration (paragraphs 3 and 6 of Schedule 5).

Article 5 contains transitional provisions.

An impact assessment of the effect that the Act will have on the costs of business and the voluntary sector has been produced, and copies are available from the website of the Department of Environment, Food and Rural Affairs at [www.defra.gov.uk](http://www.defra.gov.uk). No separate impact assessment has been produced for this instrument.