

SCHEDULE 3

Article 6

TRANSITIONAL PROVISIONS

1.—(1) Until the relevant day, sections 27A (variation of small quantity threshold) and 33A (power to provide for further exemptions) of the WRA, as inserted by sections 6 and 9 respectively, shall have effect as if—

- (a) all of the provisions of section 6(1) (rights to abstract small quantities) were in force; and
- (b) those sections did not enable an order or regulations to be made so as to come into force before the relevant day.

(2) In this paragraph, “the relevant day” means the first day on which all of the provisions of section 6(1) are in force.

2. Until the coming fully into force of section 1 (licences to abstract water), sections 38(1A) (general consideration of licence applications) and 46A (limited extension of abstraction licence validity) of the WRA, as inserted by sections 15 and 20 respectively, shall have effect as if—

- (a) any reference to a “full licence or a transfer licence” were a reference to a licence under Chapter 2 of Part 2 of the WRA;
- (b) in paragraph (a) of section 38(1A), the words “of the same type” were omitted; and
- (c) in subsection (3) of section 46A, the words “of the type in question” were omitted.

3. Until the coming fully into force of section 17 (protected rights), section 39B (register of certain protected rights) of the WRA, as inserted by section 18, shall have effect as if it did not enable regulations or an order to be made so as to come into force before that time.

4. Until the coming fully into force of section 23 (transfer and apportionment of licences), the amendments made by section 24 shall have effect as if in section 48A(7)(b) of the WRA (civil remedies for loss or damage due to water abstraction) the words “and section 59C(6) below” were omitted.

5. Any appointment as a technical assessor under section 86 of the WIA (assessors for the enforcement of water quality), or designation under subsection (4) of that section, which—

- (a) was made before the coming into force of section 57 (the Chief Inspector of Drinking Water and the Drinking Water Inspectorate); and
- (b) is still current at that time,

shall have effect as if it were an appointment as, or (as the case may be) a designation of, an inspector under section 86 of the WIA as amended by section 57.

6. A designation in writing for the purposes of section 169 of the WRA (powers of entry for enforcement purposes) which—

- (a) was made before the coming into force of section 71 (extension of Environment Agency’s powers of entry); and
- (b) is still current at that time,

shall have effect as if given for the purposes of section 169 of the WRA as amended by section 71.

7. Until the coming fully into force of section 36(1) (transfer to the Authority and the Consumer Council for Water of functions, property etc), any reference to the Authority in—

- (a) any provision of the Act which comes into force by virtue of this Order (except section 37);
- (b) any provision of the WIA which is introduced or amended by the Act and by virtue of this Order; or

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(c) Schedule 1 to this Order,
shall have effect as if it were a reference to the Director General of Water Services.