



# Water Act 2003

## 2003 CHAPTER 37

### PART 2

#### NEW REGULATORY ARRANGEMENTS, ETC

##### *Miscellaneous*

#### 51 Reasons for decisions

After section 195 of the WIA there is inserted—

##### **“195A Reasons for decisions**

- (1) This section applies to the following decisions of the Authority, the Secretary of State or the Assembly, namely—
- (a) the modification of the conditions of an appointment under Chapter 1 of Part 2 of this Act or the variation of the area to which an appointment relates;
  - (b) the modification of the conditions of a licence under Chapter 1A of that Part;
  - (c) the termination of such an appointment or the revocation of such a licence;
  - (d) the giving of any directions or consent in pursuance of a condition included in such an appointment by virtue of section 12(1) above or in such a licence by virtue of section 17G(3)(a) or (b) above;
  - (e) the determination of a question referred in pursuance of a condition included in such an appointment by virtue of section 12(2) above or in such a licence by virtue of section 17G(3)(c) above;
  - (f) the making of a determination under section 17E or 66D(1) above; and
  - (g) the making of a final enforcement order, the making or confirmation of a provisional enforcement order or the revocation of a final order or of a provisional order which has been confirmed.

*Changes to legislation: Water Act 2003, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (2) As soon as reasonably practicable after making such a decision the Authority, the Secretary of State or the Assembly shall publish a notice stating the reasons for the decision in such manner as it considers appropriate for the purpose of bringing the matters to which the notice relates to the attention of persons likely to be interested.
- (3) A person publishing a notice under subsection (2) above shall serve a copy on the company holding the appointment or licence to which the decision relates.
- (4) A person preparing a notice under subsection (2) above shall have regard to the need for excluding, so far as that is practicable, any matter which relates to the affairs of a particular individual or body of persons (corporate or unincorporate), where he considers that publication of that matter would or might seriously and prejudicially affect the interests of that individual or body.
- (5) This section does not apply in relation to a decision of the Authority resulting in any provision which the Authority was directed under section 195(3) above not to enter in the register required to be kept under that section.”

**Commencement Information**

**II** S. 51 in force at 1.4.2005 by S.I. 2005/968, art. 2(j) (with Sch. 2 para. 1)

## 52 Co-operation between water regulators

- (1) This section imposes duties on each of the following—
  - (a) the Secretary of State,
  - (b) the Assembly,
  - (c) the Environment Agency, <sup>F1</sup>...
  - <sup>F2</sup>(ca) the Natural Resources Body for Wales, and]
  - (d) the Water Services Regulation Authority.
- (2) It is the duty of each of those mentioned in subsection (1) to make arrangements with each of the others with a view to promoting, in the case of each pair of them—
  - (a) co-operation and the exchange of information between them, and
  - (b) consistency of treatment of matters which affect both of them.
- (3) That duty relates only—
  - (a) in the case of the Water Services Regulation Authority, to its functions under the WIA relating to the regulation of water and sewerage undertakers and licensed water suppliers,
  - (b) in the case of the Secretary of State and the Assembly, to their functions of the description referred to in paragraph (a), and to their functions under the WIA relating to the quality of water supplied by water undertakers and licensed water suppliers,
  - <sup>F3</sup>(c) in the case of the Environment Agency and the Natural Resources Body for Wales, to their functions concerning water resources and water pollution so far as they relate to water and sewerage undertakers and licensed water suppliers.]
- (4) As soon as practicable after agreement is reached on any arrangements required by this section, the parties must prepare a memorandum setting them out.

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- (5) The parties to any such arrangements must keep them under review.
- (6) As soon as practicable after agreement is reached on any changes to arrangements under this section, the parties must revise their memorandum.
- (7) Parties to arrangements required by this section must send a copy of their memorandum (and any revised memorandum) to each person mentioned in subsection (1) who is not a party to the arrangements set out in it.
- (8) The Secretary of State must lay before each House of Parliament a copy of every memorandum (and revised memorandum) under this section.

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#### Textual Amendments

- F1** Word in s. 52(1)(c) omitted (1.4.2013) by virtue of [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 421(2)(a)** (with Sch. 7)
- F2** S. 52(1)(ca) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 421(2)(b)** (with Sch. 7)
- F3** S. 52(3)(c) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 421(3)** (with Sch. 7)
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#### Commencement Information

- I2** S. 52 in force at 1.4.2006 by [S.I. 2005/2714](#), art. 4(d)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 52(9) inserted by [2014 c. 21 Sch. 7 para. 133\(3\)](#)