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## SCHEDULES

### SCHEDULE 7

Section 101(1)

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART 1

#### ABSTRACTION AND IMPOUNDING

#### *Water Resources Act 1991 (c. 57)*

1 The WRA is amended as follows.

#### Commencement Information

- I1** Sch. 7 para. 1 in force at 1.4.2004 for specified purposes by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)
- I2** Sch. 7 para. 1 in force at 1.10.2004 for specified purposes by S.I. 2004/2528, art. 2(t)(i) (with Sch. para. 8)

- 2 In section 34 (regulations with respect to applications under Chapter 2 of Part 2)—
- (a) in subsection (1), after “particulars,” there is inserted “ be accompanied by such reports, ”,
  - (b) in subsection (2), at the end there is added “ , and provision for making such applications available for public inspection. ”.

#### Commencement Information

- I3** Sch. 7 para. 2 in force at 1.10.2004 by S.I. 2004/2528, art. 2(t)(i) (with Sch. para. 8)

VALID FROM 01/01/2018

- 3 In section 40 (obligations to take river flow etc into account), in subsection (4) (b), for “neither discrete waters nor waters comprised in an order under section 33 above” there is substituted “ not discrete waters ”.

VALID FROM 01/04/2006

- 4 In section 51 (modification of licence on application of licence holder), after subsection (2) there is inserted—

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“(2A) An application may not be made under subsection (2) above to convert an abstraction licence of one type into an abstraction licence of a different type.”

VALID FROM 01/01/2018

5 In section 57 (emergency variation of licences for spray irrigation purposes), in subsection (3), for “neither discrete waters nor inland waters comprised in an order under section 33 above” there is substituted “ not discrete waters ”.

6 In section 61 (compensation for licence modified on direction of Secretary of State), in subsection (1), for “55” there is substituted “ 56 ”.

**Commencement Information**

**14** Sch. 7 para. 6 in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

VALID FROM 01/04/2006

7 In section 66 (inland waters owned or managed by British Waterways Board), subsection (2)(a) is omitted.

VALID FROM 01/04/2006

8 (1) Section 67 (ecclesiastical property) is amended as follows.

(2) In subsections (1) and (2), after “Where the relevant land belongs to a benefice” there is inserted “ or (in the case of a licence under this Chapter to abstract water) where it is a benefice which has a right of access to the relevant land ”.

(3) In subsection (8), in the definition of “the relevant land”, for paragraph (a) there is substituted—

“(a) the land to which an applicant for a licence to abstract water is required by section 35 above to have a right of access; or”.

VALID FROM 01/01/2018

9 In section 71 (modification of local enactments), in subsection (4), “33,” is omitted.

VALID FROM 01/04/2006

10 In section 125 (specific exemptions from water resources charges), subsection (2) is omitted.

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VALID FROM 01/04/2006

- 11 In section 206 (making of false statements etc), in subsection (1), after “Act” there is inserted “ or of section 3, 4 or 10 of the Water Act 2003 ”.

VALID FROM 01/04/2006

- 12 In section 217 (criminal liabilities of directors and other third parties), in subsection (1), after “this Act” there is inserted “ or under section 4 of the Water Act 2003 ”.

VALID FROM 01/04/2006

- 13 In section 222 (Crown application), as substituted by paragraph 2(4) of Schedule 21 to the Environment Act 1995 (c. 25), after subsection (10) there is added—
- “(11) This section shall apply in relation to sections 3, 4 and 10 of the Water Act 2003 as it applies in relation to the provisions of this Act.”

- 14 For Schedule 6 (which relates to the making of orders providing for exemption from restrictions on abstraction) there is substituted—

“SCHEDULE 6

Sections 27A(4) and  
39B(7)

ORDERS RELATING TO ABSTRACTION OF SMALL QUANTITIES  
AND COMPULSORY REGISTRATION OF PROTECTED RIGHTS

*Notice of draft order*

- 1 (1) An application to the Secretary of State for an order under section 27A(1) or 39B(3) of this Act (an “order”) shall be accompanied by a draft of the proposed order.
- (2) Before submitting a draft order to the Secretary of State, the Agency shall publish a notice—
- (a) stating the general effect of the draft order;
  - (b) specifying the place where a copy of the draft order, and of any relevant map or plan, may be inspected by any person free of charge at all reasonable times during the period of twenty-eight days beginning with the date of first publication of the notice; and
  - (c) stating that any person may within that period, by notice to the Secretary of State, object to the making of the order.
- (3) A notice under this paragraph shall be published either—
- (a) at least once in each of two successive weeks, in one or more newspapers circulating in the area to which the draft order relates; or
  - (b) in any other manner which, in any particular case, may be certified by the Secretary of State to be expedient in that case.

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- (4) Not later than the date on which the notice is first published in pursuance of sub-paragraph (2) above, the Agency shall serve a copy of the notice on—
- (a) every local authority (in its capacity as the local planning authority), joint planning board or National Park authority whose area consists of, includes or is included in the area to which the draft order relates;
  - (b) any relevant water undertaker;
  - (c) any internal drainage board—
    - (i) whose district consists of, includes or is included in the area to which the draft order relates;
    - (ii) from whose district water is discharged into any relevant source of supply; or
    - (iii) into whose district water is discharged from any relevant source of supply;
  - (d) any navigation authority, harbour authority or conservancy authority having functions in relation to—
    - (i) any relevant source of supply; or
    - (ii) any related inland waters;
  - (e) if a relevant source of supply or related inland waters are tidal waters in relation to which there is no such navigation authority, harbour authority or conservancy authority, the Secretary of State for Transport;
  - (f) any person authorised by a licence under Part 1 of the Electricity Act 1989 to generate electricity who is (in that capacity) the holder of a licence to abstract water under Chapter 2 of Part 2 of this Act from—
    - (i) any relevant source of supply; or
    - (ii) any related inland waters;
  - (g) English Nature, if the area to which the order relates is or includes England, or part of it;
  - (h) the Countryside Council for Wales, if the area to which the order relates is or includes Wales, or part of it; and
  - (i) the Broads Authority (established under the Norfolk and Suffolk Broads Act 1988), if the area to which the order relates is or includes the Broads (as defined in that Act), or part of it.
- (5) Where an application for an order is made, the Agency shall also publish a notice in the London Gazette—
- (a) stating that the draft order has been submitted to the Secretary of State;
  - (b) naming the areas of each of the authorities or boards in respect of which a copy of the notice is required to be served under sub-paragraph (4)(a) above;
  - (c) specifying a place where a copy of the draft order and of any relevant map or plan may be inspected; and
  - (d) where the notice required by sub-paragraph (2) above is published in a newspaper, giving the name of the newspaper and the date of an issue containing the notice.
- (6) In this paragraph—

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- (a) where a draft order makes provision generally (rather than for a specified geographical area), references to the area to which the order relates are to the whole area (whether England, Wales or both of them) in relation to which the order is applied;
- (b) references to a National Park authority are to a National Park authority established under Part 3 of the 1995 Act;
- (c) a “relevant source of supply”, in relation to a draft order, means—
  - (i) if the draft order relates only to particular sources of supply (or a class of them) in an area, any of those sources of supply (or any source of supply in that class) in that area;
  - (ii) otherwise, any source of supply in the area to which the draft order relates;
- (d) a “relevant water undertaker”, in relation to a draft order, means a water undertaker which is the holder of a licence to abstract water under Chapter 2 of Part 2 of this Act from—
  - (i) a relevant source of supply; or
  - (ii) a source of supply which is related to a relevant source of supply;
- (e) for the purposes of paragraph (d) above, a source of supply (the “related source”) is related to a relevant source of supply if it appears to the Agency that, having regard to the extent to which the level or flow of water in the related source depends on the level or flow of the waters in the relevant source of supply, the ability of the water undertaker to abstract water from the related source in accordance with its licence may be substantially affected as a result of the draft order;
- (f) “related inland waters” are inland waters the level or flow of which may, in the Agency’s opinion, be affected by changes in the level or flow of the waters in a relevant source of supply.

#### *Duty to provide copy of draft order*

- 2 Where an application for an order is made, the Agency shall, at the request of any person, furnish him with a copy of the draft order on payment of such charge as the Agency thinks reasonable.

#### *Making of order*

- 3 (1) Where an application for an order is made, the Secretary of State may make the order either in the form of the draft or in that form as altered in such manner as he thinks fit.
- (2) Where the Secretary of State—
  - (a) proposes to make any alteration of an order before making it; and
  - (b) considers that any persons are likely to be adversely affected by it,the Agency shall give and publish such additional notices, in such manner, as the Secretary of State may require.
- (3) Sub-paragraph (4) below shall apply if before the end of—
  - (a) the period of twenty-eight days referred to in sub-paragraph (2)(b) of paragraph 1 above;

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- (b) the period of twenty-five days from the publication in the London Gazette of the notice under sub-paragraph (5) of that paragraph; or
  - (c) any period specified in notices under sub-paragraph (2) above,
- notice of an objection is received by the Secretary of State from any person on whom a notice is required by this Schedule to be served, from any other person appearing to the Secretary of State to be affected by the order (either as prepared in draft or as proposed to be altered) or, in a case where the Secretary of State directed the Agency to apply for the order, from the Agency.
- (4) Where this sub-paragraph applies and the objection in question is not withdrawn, the Secretary of State, before making the order, may take such steps as he sees fit and, in particular, may—
- (a) cause a local inquiry to be held; or
  - (b) afford to the objector and to the Agency an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.
- (5) Where—
- (a) the order (whether as prepared in draft or as proposed to be altered) relates to any tidal water situated in Wales (or in an area of the sea adjoining either the coast of Wales or an area of sea forming part of Wales); and
  - (b) no navigation authority, harbour authority or conservancy authority has functions in relation to that tidal water,
- the Secretary of State shall not make the order except with the approval of the Secretary of State for Transport.

*Notice and inspection of final order*

- 4 (1) Where an order is made under section 27A(1) or 39B(3) of this Act, whether in the form of the draft proposed by the Agency or with alterations, the Secretary of State shall give notice to the Agency—
- (a) stating that the order has been made, either without alteration or with alterations specified in the notice; and
  - (b) specifying the date (not being earlier than twenty-eight days after the date of the notice under this paragraph) on which the order shall have effect;
- and the Agency shall forthwith publish the notice.
- (2) The Agency shall keep a copy of every order made under section 27A(1) or 39B(3) of this Act available at its offices for inspection by the public, free of charge, at all reasonable times.”

**Commencement Information**

**I5** Sch. 7 para. 14 in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

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*Environment Act 1995 (c. 25)*

- 15 (1) The Environment Act 1995 is amended as follows.
- (2) In section 6 (general provisions with respect to water), after subsection (3) there is inserted—
- “(3A) Subsection (3) above shall apply to—
- (a) sections 3 and 4 of the Water Act 2003; and
  - (b) such of the related water resources provisions as apply in relation to those sections by virtue of section 33(2) of the Water Act 2003, as it applies to the provisions referred to in that subsection.”
- (3) In Schedule 22 (amendment of enactments), paragraph 181 is omitted.

**PART 2**

NEW REGULATORY ARRANGEMENTS, ETC

*Public Records Act 1958 (c. 51)*

- 16 In Schedule 1 to the Public Records Act 1958 (definition of public records), at the appropriate place in Part 2 of the Table at the end of paragraph 3 there is inserted — “Consumer Council for Water.”

**Commencement Information**

**I6** Sch. 7 para. 16 in force at 1.10.2005 by S.I. 2005/2714, art. 2(I)(i)

*Public Bodies (Admission to Meetings) Act 1960 (c. 67)*

- 17 In the Schedule to the Public Bodies (Admission to Meetings) Act 1960 (bodies to which Act applies), for paragraph 1(k) there is substituted—
- “(k) regional committees of the Consumer Council for Water established under section 27A of the Water Industry Act 1991.”

**Commencement Information**

**I7** Sch. 7 para. 17 in force at 1.10.2005 by S.I. 2005/2714, art. 2(I)(i)

*Parliamentary Commissioner Act 1967 (c. 13)*

- 18 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments and authorities subject to investigation)—
- (a) there is inserted at the appropriate places— “Consumer Council for Water.” “Water Services Regulation Authority.”, and

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- (b) the entry relating to the Office of the Director General of Water Services is omitted.

**Commencement Information**

**I8** Sch. 7 para. 18(a) in force at 1.10.2005 for specified purposes by S.I. 2005/2714, art. 2(I)(ii)

*Superannuation Act 1972 (c. 11)*

- 19 In Schedule 1 to the Superannuation Act 1972, in the list of “Other Bodies” there is inserted at the appropriate place— “ The Consumer Council for Water. ”

**Commencement Information**

**I9** Sch. 7 para. 19 in force at 1.10.2005 by S.I. 2005/2714, art. 2(I)(i)

*House of Commons Disqualification Act 1975 (c. 24)*

- 20 (1) Schedule 1 to the House of Commons Disqualification Act 1975 is amended as follows.
- (2) In Part 2 (bodies of which all members are disqualified), there is inserted at the appropriate places— “ The Consumer Council for Water, and each regional committee of the Council established under section 27A of the Water Industry Act 1991. ” “ The Water Services Regulation Authority. ”
- (3) In Part 3 (other disqualifying offices), the entries relating to the following are omitted—
- (a) the Chairman of a customer service committee maintained under section 28 of the Water Industry Act 1991, and
- (b) the Director General of Water Services.

**Commencement Information**

**I10** Sch. 7 para. 20(1) in force at 1.10.2005 for specified purposes by S.I. 2005/2714, art. 2(I)(cc)(iii)

**I11** Sch. 7 para. 20(2) in force at 1.10.2005 for specified purposes by S.I. 2005/2714, art. 2(I)(aa)(iii)

**I12** Sch. 7 para. 20(3)(a) in force at 1.10.2005 by S.I. 2005/2714, art. 2(I)(bb)(iii)

*Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

- 21 (1) Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 is amended as follows.
- (2) In Part 2 (bodies of which all members are disqualified), there is inserted at the appropriate places— “ The Consumer Council for Water, and each regional committee of the Council established under section 27A of the Water Industry Act 1991. ” “ The Water Services Regulation Authority. ”
- (3) In Part 3 (other disqualifying offices), the entries relating to the following are omitted—



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- (a) the Chairman of a customer service committee maintained under section 28 of the Water Industry Act 1991, and
- (b) the Director General of Water Services.

**Commencement Information**

- I13** Sch. 7 para. 21(1) in force at 1.10.2005 for specified purposes by S.I. 2005/2714, art. 2(l)(cc)(iii)
- I14** Sch. 7 para. 21(2) in force at 1.10.2005 for specified purposes by S.I. 2005/2714, art. 2(l)(aa)(iii)
- I15** Sch. 7 para. 21(3)(a) in force at 1.10.2005 by S.I. 2005/2714, art. 2(l)(bb)(iii)

*Race Relations Act 1976 (c. 74)*

- 22 In Part 2 of Schedule 1A to the Race Relations Act 1976 (bodies and other persons subject to general statutory duty), for the entry relating to a Customer Service Committee maintained under section 28 of the Water Industry Act 1991 there is substituted— “ The Consumer Council for Water. ”

**Commencement Information**

- I16** Sch. 7 para. 22 in force at 1.10.2005 by S.I. 2005/2714, art. 2(l)(i)

*Telecommunications Act 1984 (c. 12)*

- 23 In the Telecommunications Act 1984, in section 101 (restriction on disclosure of information)—
- (a) in subsection (2)(b), for “the Director General of Water Services” there is substituted “ the Water Services Regulation Authority ”,
  - (b) in subsection (3)(j), at the end there is inserted “ , or the Water Act 2003 ”.

**Commencement Information**

- I17** Sch. 7 para. 23(b) in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

*Airports Act 1986 (c. 31)*

- 24 In the Airports Act 1986, in section 74 (restriction on disclosure of information)—
- (a) in subsection (2)(a), for “the Director General of Water Services” there is substituted “ the Water Services Regulation Authority ”,
  - (b) in subsection (3)(k), at the end there is inserted “ , or the Water Act 2003 ”.

**Commencement Information**

- I18** Sch. 7 para. 24(b) in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

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*Company Directors Disqualification Act 1986 (c. 46)*

- 25 In section 9E of the Company Directors Disqualification Act 1986 (interpretation for the purposes of sections 9A to 9D of that Act), in subsection (2), for paragraph (c) there is substituted—  
“(c) the Water Services Regulation Authority;”.

*Water Act 1989 (c. 15)*

- 26 (1) The Water Act 1989 is amended as follows.
- (2) In section 174 (general restrictions on disclosure of information)—
- (a) in subsection (2)—
- (i) in paragraph (a)—
- (a) for “the Director” there is substituted “ the Water Services Regulation Authority, the Consumer Council for Water ”,
- (b) for “or the Environment Act 1995” there is substituted “ , the Environment Act 1995 or the Water Act 2003 ”,
- (ii) in paragraph (c), for “or of any arrangements” to the end there is substituted “ or section 27H of the Water Industry Act 1991 ”,
- (iii) in paragraph (j), after “1995” there is inserted “ , the Water Act 2003 ”,
- (b) in subsection (4)(a)—
- (i) for “the Director” there is substituted “ the Water Services Regulation Authority ”,
- (ii) for “a customer service committee” there is substituted “ the Consumer Council for Water (or any regional committee of that Council established under section 27A of the Water Industry Act 1991) ”.
- (3) In section 185 (powers to make regulations), in subsection (2), paragraph (a) is omitted.
- (4) In Schedule 3 (Director General of Water Services), paragraphs 6 and 7 are omitted.
- (5) In Schedule 4 (customer service committees), paragraph 6 is omitted.
- (6) In Schedule 25 (amendment of enactments), paragraphs 68(2)(a) and 76(a) are omitted.

**Commencement Information**

- I19** Sch. 7 para. 26(1) in force at 1.4.2004 for specified purposes by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)
- I20** Sch. 7 para. 26(1) in force at 1.10.2005 for specified purposes by S.I. 2005/2714, art. 2(l)(cc)(iv)
- I21** Sch. 7 para. 26(2)(a)(i)(b) in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)
- I22** Sch. 7 para. 26(2)(a)(i) in force at 1.10.2005 for specified purposes by S.I. 2005/2714, art. 2(l)(aa)(iv)
- I23** Sch. 7 para. 26(2)(a)(ii)(b)(ii)(5) in force at 1.10.2005 by S.I. 2005/2714, art. 2(l)(bb)(iv)

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**I24** Sch. 7 para. 26(2)(a)(iii) in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

*Water Industry Act 1991 (c. 56)*

- 27 (1) The WIA is amended as follows.
- (2) In section 35 (construction of merger provisions), whose insertion into the WIA is provided for by section 70(1) of the Enterprise Act 2002 (c. 40), in subsection (1), in the definition of “water enterprise”, for “water undertaker” there is substituted “relevant undertaker”.
- (3) In section 86A(2)(a) and 116A(2)(a) (procedures for dealing with complaints), for “customer service committee” there is substituted “regional committee”.
- (4) In section 181 (complaints with respect to the exercise of works powers on private land), in subsection (2)(c), for “the appropriate customer service committee” there is substituted “the Council”.
- (5) In section 206 (restrictions on disclosure of information)—
- (a) in subsection (3)—
- (i) in paragraph (a), before “, the Competition Commission” there is inserted “, the Council”,
- (ii) in that paragraph, for “or regulations under section 2 of the Pollution Prevention and Control Act 1999” there is substituted “, regulations under section 2 of the Pollution Prevention and Control Act 1999, or the Water Act 2003”,
- (iii) in paragraph (b), for “or the Water Act 1989” there is substituted “, the Water Act 1989 or the Water Act 2003”,
- (iv) in paragraph (c), for “of any arrangements made by the Director under section 29(6) above or of any duty imposed by” there is substituted “of any duty imposed by section 27H above or”,
- (v) in paragraph (j)—
- (a) after “the Water Act 1989” there is inserted “, the Water Act 2003”,
- (b) for “or that Act of 1989” there is substituted “, the Water Act 1989 or the Water Act 2003”,
- (b) in subsection (4)(a)—
- (i) for “a customer service committee” there is substituted “the Council (or any regional committee)”,
- (ii) for “or regulations under section 2 of the Pollution Prevention and Control Act 1999” there is substituted “, regulations under section 2 of the Pollution Prevention and Control Act 1999, or the Water Act 2003”.
- (6) In section 208 (directions in the interests of national security), after subsection (3) there is inserted—
- “(3A) The Secretary of State may, after consultation with the Council, give to the Council such directions of a general character as appear to the Secretary of State to be requisite or expedient—
- (a) in the interests of national security; or
- (b) in connection with any civil emergency which may occur.

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- (3B) If it appears to the Secretary of State to be requisite or expedient to do so—
- (a) in the interests of national security; or
  - (b) in connection with any civil emergency which has occurred or may occur,
- he may, after consultation with the Council, give to the Council a direction requiring it to do, or not to do, a particular thing specified in the direction.
- (3C) The Council shall comply with any direction given to it by the Secretary of State under this section.”

(7) In section 219(1) (interpretation)—

- (a) after the definition of “analyse” there is inserted—
 

““the Assembly” means the National Assembly for Wales;”,

““the Authority” means the Water Services Regulation Authority;”,
- (b) after the definition of “contravention” there is inserted—
 

““the Council” means the Consumer Council for Water;”,
- (c) the definition of “the Director” is omitted,
- (d) after the definition of “records” there is inserted—
 

““regional committee” means a regional committee of the Council established under section 27A above;”.

#### Commencement Information

- I25** Sch. 7 para. 27(1) in force at 1.4.2004 for specified purposes by S.I. 2004/641, art. 3(y), **Sch. 2** (with Sch. 3 para. 7)
- I26** Sch. 7 para. 27(1) in force at 1.8.2005 for specified purposes by S.I. 2005/968, **art. 3(d)**
- I27** Sch. 7 para. 27(1) in force at 1.10.2005 for specified purposes by S.I. 2005/2714, art. 2(l)(cc)(v) (with Sch. para. 8)
- I28** Sch. 7 para. 27(2) in force at 29.12.2004 by S.I. 2004/2528, **art. 3** (with Sch. para. 8)
- I29** Sch. 7 para. 27(3)(4)(6)(7)(d) in force at 1.10.2005 by S.I. 2005/2714, art. 2(l)(aa)(v) (with Sch. para. 8)
- I30** Sch. 7 para. 27(5)(a)(i)(iv)(b)(i) in force at 1.10.2005 by S.I. 2005/2714, art. 2(l)(bb)(v) (with Sch. para. 8)
- I31** Sch. 7 para. 27(5)(a)(ii)(iii)(v)(b)(ii)(7)(a) in force at 1.4.2004 by S.I. 2004/641, art. 3(y), **Sch. 2** (with Sch. 3 para. 7)
- I32** Sch. 7 para. 27(7)(b) in force at 1.8.2005 by S.I. 2005/968, **art. 3(d)**

#### *Water Resources Act 1991 (c. 57)*

- 28 (1) The WRA is amended as follows.
- (2) In section 20 (water resources management schemes), in subsection (2)(c), for “Director General of Water Services” there is substituted “Water Services Regulation Authority”.
  - (3) In section 204 (restriction on disclosure of information)—
    - (a) in subsection (2)—

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- (i) in paragraph (a), for “the Director General of Water Services” there is substituted “ the Water Services Regulation Authority, the Consumer Council for Water ”,
  - (ii) in that paragraph, for “or regulations under section 2 of the Pollution Prevention and Control Act 1999” there is substituted “ , regulations under section 2 of the Pollution Prevention and Control Act 1999, or the Water Act 2003 ”,
  - (iii) in paragraph (b), for “or the Water Act 1989” there is substituted “ , the Water Act 1989 or the Water Act 2003 ”,
  - (iv) in paragraph (c), for “of any arrangements made by the Director General of Water Services under section 29(6)” there is substituted “ of any duty imposed by section 27H ”,
  - (v) in paragraph (j)—
    - (a) after “the Water Act 1989” there is inserted “ , the Water Act 2003 ”,
    - (b) for “or that Act of 1989” there is substituted “ , the Water Act 1989 or the Water Act 2003 ”,
  - (b) in subsection (3), in paragraph (a)—
    - (i) for sub-paragraph (ii) there is substituted—

“(ii) the Water Services Regulation Authority;”,
    - (ii) for sub-paragraph (iii) there is substituted—

“(iii) the Consumer Council for Water (or any regional committee of that Council established under section 27A of the Water Industry Act 1991); or”,
    - (iii) for “or regulations under section 2 of the Pollution Prevention and Control Act 1999” there is substituted “ , regulations under section 2 of the Pollution Prevention and Control Act 1999, or the Water Act 2003 ”.
- (4) In section 219 (powers to make regulations), in each of paragraphs (a) and (b) of subsection (2), for “the Director” there is substituted “ the Water Services Regulation Authority ”.

#### Commencement Information

- I33** Sch. 7 para. 28(1) in force at 1.4.2004 for specified purposes by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)
- I34** Sch. 7 para. 28(1) in force at 1.10.2005 for specified purposes by S.I. 2005/2714, art. 2(l)(bb)(vi) (with Sch. para. 8)
- I35** Sch. 7 para. 28(3)(a)(i)(iv)(b)(ii) in force at 1.10.2005 by S.I. 2005/2714, art. 2(l)(aa)(vi) (with Sch. para. 8)
- I36** Sch. 7 para. 28(3)(a)(ii)(iii)(v)(b)(iii) in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

#### Water Consolidation (Consequential Provisions) Act 1991 (c. 60)

- 29 (1) The Water Consolidation (Consequential Provisions) Act 1991 is amended as follows.

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- (2) In Schedule 1 (amendment of enactments), paragraphs 10, 28(a) and 29(a) are omitted.
- (3) In Schedule 2 (transitional and transitory provisions and savings)—
- (a) in paragraph 8, for “Director General of Water Services” there is substituted “Water Services Regulation Authority”,
  - (b) in paragraph 10, for “Director General of Water Services” there is substituted “Water Services Regulation Authority”.

**Commencement Information**

- I37** Sch. 7 para. 29(1) in force at 1.10.2005 for specified purposes by S.I. 2005/2714, art. 2(l)(vii)  
**I38** Sch. 7 para. 29(2) in force at 1.10.2005 by S.I. 2005/2714, art. 2(l)(vii)

*Competition and Service (Utilities) Act 1992 (c. 43)*

- 30 Section 50 of the Competition and Service (Utilities) Act 1992 (which amends section 2 of the WIA) shall cease to have effect.

**Commencement Information**

- I39** Sch. 7 para. 30 in force at 1.4.2005 by S.I. 2005/968, art. 2(m)(i)

*Coal Industry Act 1994 (c. 21)*

- 31 In section 59 (information to be kept confidential by the Authority), in subsection (4), after paragraph (o) there is inserted—  
“(p) the Water Act 2003.”

**Commencement Information**

- I40** Sch. 7 para. 31 in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

*Competition Act 1998 (c. 41)*

- 32 (1) The Competition Act 1998 is amended as follows.
- (2) In section 54 (regulators), in subsection (1), for paragraph (d) there is substituted—  
“(d) the Water Services Regulation Authority;”.
- (3) In Schedule 7 (the Competition Commission), in paragraph 2(1)(d), sub-paragraph (i) is omitted.
- (4) In Schedule 10 (regulators), the following are omitted—
- (a) paragraph 5(3),
  - (b) paragraph 13(2) and (3).
- (5) In Schedule 13 (transitional provisions and savings), in paragraph 35(2)(e), for “Director General of Water Services” there is substituted “Water Services Regulation Authority”.

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#### Commencement Information

- I41 Sch. 7 para. 32(1) in force at 1.4.2004 for specified purposes by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)
- I42 Sch. 7 para. 32(1) in force at 1.10.2004 for specified purposes by S.I. 2004/2528, art. 2(t)(ii) (with Sch. para. 8)
- I43 Sch. 7 para. 32(1) in force at 1.4.2005 for specified purposes by S.I. 2005/968, art. 2(m)(ii)
- I44 Sch. 7 para. 32(3) in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)
- I45 Sch. 7 para. 32(4)(a) in force at 1.4.2005 by S.I. 2005/968, art. 2(m)(ii)
- I46 Sch. 7 para. 32(4)(b) in force at 1.4.2004 for specified purposes by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)
- I47 Sch. 7 para. 32(4)(b) in force at 1.10.2004 in so far as not already in force by S.I. 2004/2528, art. 2(t)(ii) (with Sch. para. 8)

#### Postal Services Act 2000 (c. 26)

- 33 In Schedule 7 to the Postal Services Act 2000 (disclosure of information), in paragraph 3—
- (a) in sub-paragraph (2), for paragraph (j) there is substituted—  
“(j) the Water Services Regulation Authority;”,
  - (b) in sub-paragraph (3), after paragraph (gh) there is inserted—  
“(gi) the Water Act 2003;”.

#### Commencement Information

- I48 Sch. 7 para. 33(b) in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

#### Utilities Act 2000 (c. 27)

- 34 In section 105 of the Utilities Act 2000 (general restrictions on disclosure of information)—
- (a) in subsection (5), for paragraph (e) there is substituted—  
“(e) the Water Services Regulation Authority;”,
  - (b) in subsection (6)(l), at the end there is inserted “ or the Water Act 2003 ”.

#### Commencement Information

- I49 Sch. 7 para. 34(b) in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

#### Transport Act 2000 (c. 38)

- 35 In Schedule 9 to the Transport Act 2000 (air traffic: information), in paragraph 3—
- (a) in sub-paragraph (2), for paragraph (g) there is substituted—  
“(g) the Water Services Regulation Authority;”,
  - (b) in sub-paragraph (3), after paragraph (ra) there is inserted—  
“(rb) the Water Act 2003;”.

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**Commencement Information**

**I50** Sch. 7 para. 35(b) in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

*Enterprise Act 2002 (c. 40)*

- 36 (1) The Enterprise Act 2002 is amended as follows.
- (2) In section 136 (investigations and reports on market investigation references), in each of subsections (7)(c) and (8), for “the Director General of Water Services” there is substituted “the Water Services Regulation Authority”.
- (3) In section 168 (regulated markets)—
- (a) in subsection (4)(f), for “the Director General of Water Services” there is substituted “the Water Services Regulation Authority”,
  - (b) in subsection (5), for paragraph (e) there is substituted—  
“ (e) the Water Services Regulation Authority;”.
- (4) In Schedule 15 (enactments conferring functions in relation to which a public authority may disclose information), at the end there is inserted the following entry — “Water Act 2003 (c. 37).”

**Commencement Information**

**I51** Sch. 7 para. 36(1) in force at 1.4.2004 for specified purposes by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

**I52** Sch. 7 para. 36(4) in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

**PART 3**

MISCELLANEOUS

*Metropolis Water Act 1852 (c. 84)*

- 37 Section 1 of the Metropolis Water Act 1852 (restriction on sources of supply of water to London) shall cease to have effect.

**Commencement Information**

**I53** Sch. 7 para. 37 in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

*Reservoirs Act 1975 (c. 23)*

- 38 In Schedule 1 to the Reservoirs Act 1975 (index of general definitions), the entry for “Local authority” is omitted.

**Commencement Information**

**I54** Sch. 7 para. 38 in force at 1.10.2004 by S.I. 2004/2528, art. 2(t)(iii) (with Sch. para. 8)



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**I55** Sch. 7 para. 38 in force at 11.11.2004 for W. by S.I. 2004/2916, art. 2(f)

VALID FROM 01/04/2007

*Water Industry Act 1991 (c. 56)*

- 39 (1) The WIA is amended as follows.
- (2) In section 111 (restrictions on use of public sewers)—
- (a) in paragraph (b) of subsection (1), for “one hundred and ten degrees Fahrenheit” there is substituted “ forty-three degrees Celsius ”,
  - (b) in subsection (5), for “seventy-three degrees Fahrenheit” there is substituted “ twenty-three degrees Celsius ”.
- (3) In section 213(1) (powers to make regulations), after “or 17D(8)” (which is inserted by paragraph 49(2) of Schedule 8) there is inserted “ or 105A ”.

*Land Drainage Act 1991 (c. 59)*

- 40 (1) The Land Drainage Act 1991 is amended as follows.
- (2) In section 16 (which provides for the exercise of certain local authority powers by the Environment Agency), in subsection (2), for “under subsection (3) above” there is substituted “ in exercising those powers ”.
- (3) In section 55 (powers of internal drainage boards to borrow), in subsection (1)(a), for “in the execution of this Act” there is substituted “ in the exercise or performance of any power or duty under this Act or the Water Resources Act 1991 ”.

**Commencement Information**

**I56** Sch. 7 para. 40 in force at 1.4.2004 by S.I. 2004/641, art. 3(y), Sch. 2 (with Sch. 3 para. 7)

VALID FROM 01/08/2008

*Health Authorities Act 1995 (c. 17)*

- 41 In Schedule 1 to the Health Authorities Act 1995 (amendment of enactments), paragraph 120 is omitted.

*Environment Act 1995 (c. 25)*

- 42 In section 101 of the Environment Act 1995 (grants in connection with drainage works), subsection (1) is omitted.

**Commencement Information**

**I57** Sch. 7 para. 42 in force at 17.3.2004 for E. by S.I. 2004/641, art. 2(c) (with Sch. 3 para. 7)

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**158** Sch. 7 para. 42 in force at 1.4.2004 for W. by S.I. 2004/910, **art. 2(1)(c)**

**Status:**

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**Changes to legislation:**

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