



Water Industry Act 1991

1991 CHAPTER 56

PART VIII

MISCELLANEOUS AND SUPPLEMENTAL

Powers to make regulations

213 Powers to make regulations

- (1) The powers of the Secretary of State to make regulations under this Act shall be exercisable by statutory instrument subject (except in the case of regulations under section 8(1) or (2) above) to annulment in pursuance of a resolution of either House of Parliament.
- (2) Subject to subsection (3) below, the provisions of any regulations made by the Secretary of State under this Act may include—
 - (a) provision for any duty or other requirement imposed by the regulations on a water undertaker or sewerage undertaker to be enforceable under section 18 above by the Secretary of State, by the Director or by either of them;
 - (b) provision, where such a duty or requirement is so enforceable by either of them, for enforcement by the Director to be subject to such consent or authorisation as may be prescribed;
 - (c) provision which, in relation to the furnishing of any information or the making of any application under the regulations, makes provision corresponding to section 207 above;
 - (d) provision for anything that may be prescribed by the regulations to be determined under the regulations and for anything falling to be so determined to be determined by such persons, in accordance with such procedure and by reference to such matters, and to the opinion of such persons, as may be prescribed;
 - (e) different provision for different cases, including different provision in relation to different persons, circumstances or localities; and

Status: This is the original version (as it was originally enacted).

- (f) such supplemental, consequential and transitional provision as the Secretary of State considers appropriate.
- (3) Except to the extent that they would do so apart from this section, the power to make regulations under section 113, 125 or 126 above or under section 214 below or Schedule 8 to this Act—
- (a) shall not include the powers conferred by virtue of paragraphs (a) to (d) of subsection (2) above; and
 - (b) in the case of the power to make regulations under section 214 below, shall also not include the powers conferred by virtue of paragraphs (e) and (f) of that subsection.