

## SCHEDULES

### SCHEDULE 7

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### 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.”

##### *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.”

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

##### *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.”

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

- 20 (1) Schedule 1 to the House of Commons Disqualification Act 1975 is amended as follows.

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(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.

*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—

(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.

*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.”

*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”.

*Airports Act 1986 (c. 31)*

24 In the Airports Act 1986, in section 74 (restriction on disclosure of information)—

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- (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”.

*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.

*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”.

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- (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.
- (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.”

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- (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;”.

*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)—
    - (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”,

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(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”.

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

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

*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.

*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.”

*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”.

*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.”.

*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”.

*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;”.

*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).”