



# Water Act 2014

## 2014 CHAPTER 21

### PART 1

#### WATER INDUSTRY

### CHAPTER 3

#### REGULATION OF THE WATER INDUSTRY

##### *Drinking water inspectorate*

#### **40 Charging of fees by assessors for the enforcement of water quality**

(1) After section 86 of the Water Industry Act 1991 there is inserted—

##### **“86ZA Charging of fees**

- (1) The Secretary of State may by order made by statutory instrument confer power on the Chief Inspector of Drinking Water to charge fees for the exercise of a function by an inspector appointed by the Secretary of State under section 86 (and to determine their amount).
- (2) The Welsh Ministers may by order made by statutory instrument confer power on the designated person to charge fees for the exercise of a function by an inspector appointed by the Welsh Ministers under section 86 (and to determine their amount).
- (3) In subsection (2) “the designated person” means—
  - (a) the Chief Inspector of Drinking Water for Wales, or
  - (b) if the same person is designated under section 86(1A) and (1B), the Chief Inspector of Drinking Water in that person's capacity as a person designated by the Welsh Ministers under section 86(1B).

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*Status: Point in time view as at 18/12/2015. This version of this provision has been superseded.*

*Changes to legislation: Water Act 2014, Section 40 is up to date with all changes known to be in force on or before 11 June 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)*

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- (4) An order under this section may include consequential, supplementary, incidental or transitional provision, or savings.
- (5) A statutory instrument containing an order made by the Secretary of State under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) A statutory instrument containing an order made by the Welsh Ministers under this section is subject to annulment in pursuance of a resolution of the Assembly.
- (7) Subsection (8) applies in relation to a statutory instrument containing both—
  - (a) an order under this section made by the Secretary of State, and
  - (b) an order under this section made by the Welsh Ministers.
- (8) If in accordance with subsection (5) or (6)—
  - (a) either House of Parliament resolves that an address be presented to Her Majesty praying that an instrument containing an order made by the Secretary of State be annulled, or
  - (b) the Assembly resolves that an instrument containing an order made by the Welsh Ministers be annulled,
 nothing further is to be done under the instrument after the date of the resolution and Her Majesty may by Order in Council revoke the instrument.”
- (2) In the Public Bodies Act 2011—
  - (a) subsections (3) and (4) of section 14 (power of the Welsh Ministers to modify by order the funding arrangements of inspectors appointed under section 86 of the Water Industry Act 1991) are repealed;
  - (b) in Schedule 4 (bodies and offices where power to modify funding arrangements), the entry relating to inspectors appointed by the Secretary of State under section 86 of the Water Industry Act 1991 is repealed.

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**Commencement Information**

**II** S. 40(1) in force at 14.7.2014 by S.I. 2014/1823, art. 2(a)

**Status:**

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