
EXPLANATORY NOTE

(This note is not part of the Order)

The Order is made under section 22 of the Government of Wales Act 1998 and section 14 of the Water Industry Act 1999. It provides (under articles 2 and 3 of the Order) only for the transfer to the National Assembly for Wales (“the Assembly”) on 15th November 1999 of functions of the Secretary of State under sections 143(7) and (8), 143A, 144A and 144B of the Water Industry Act 1991 which have been inserted into that Act by respectively sections 4(3),5,6 and 7 of the Water Industry Act 1999. The functions are vested in the Secretary of State either expressly or by virtue of the word “prescribed” having the meaning of prescribed in regulations made by the Secretary of State (see section 219 of the Water Industry Act 1991). The functions which relate to charges by water and sewerage undertakers are transferred to the Assembly with respect to any water or sewerage undertaker whose area is wholly or mainly in Wales. Article 4 of the Order provides for the exclusion from transfer of certain property that would otherwise transfer to the Assembly under section 23(1) of the Government of Wales Act 1998.