

2006 No. 522

COMPETITION

CONSUMER PROTECTION

**The Enterprise Act 2002 (Water Services Regulation Authority)
Order 2006**

<i>Made</i> - - - -	<i>1st March 2006</i>
<i>Laid before Parliament</i>	<i>3rd March 2006</i>
<i>Coming into force</i> - -	<i>1st April 2006</i>

The Secretary of State thinks that the Water Services Regulation Authority has as one of its purposes the protection of the collective interests of consumers and she is satisfied that it is independent.

She makes the following Order in exercise of the powers conferred by sections 205 and 213 of the Enterprise Act 2002(a):

Citation and commencement

1.—(1) This Order may be cited as the Enterprise Act 2002 (Water Services Regulation Authority) Order 2006.

(2) This Order comes into force on 1st April 2006.

Amendment to the Enterprise Act 2002 (Super-complaints to Regulators) Order 2003

2.—(1) The Enterprise Act 2002 (Super-complaints to Regulators) Order 2003(b) is amended as follows.

(2) In the Schedule (regulators and relevant enactments conferring functions), for “The Director General of Water Services” substitute “The Water Services Regulation Authority”.

Amendment to the Enterprise Act 2002 (Part 8 Designated Enforcers: Criteria for Designation, Designation of Public Bodies as Designated Enforcers and Transitional Provisions) Order 2003

3.—(1) The Enterprise Act 2002 (Part 8 Designated Enforcers: Criteria for Designation, Designation of Public Bodies as Designated Enforcers and Transitional Provisions) Order 2003(c) is amended as follows.

(a) 2002 c. 40.
(b) S.I. 2003/1368, to which there are amendments not relevant to this Order.
(c) S.I. 2003/1399, to which there are amendments not relevant to this Order.

(2) In the Schedule (designated public bodies), for “The Director General of Water Services” substitute “The Water Services Regulation Authority”.

1st March 2006

Elliot Morley
Minister of State,
Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Order)

Section 205 of the Enterprise Act 2002 (c. 40) enables the Secretary of State to provide by order that “super-complaints” made under section 11 of that Act may be made to a specified regulator in relation to a market of a specified description. Section 213 of that Act enables the Secretary of State to designate by order certain bodies as “designated enforcers” for the purposes of certain functions under Part 8 of that Act in relation to the enforcement of certain consumer legislation.

Section 1A of the Water Industry Act 1991 (c. 56), inserted by section 34 of the Water Act 2003 (c. 37), establishes the Water Services Regulation Authority (“the Authority”). Section 34(3) of the Water Act 2003 abolishes the office of the Director General of Water Services (“the Director”). Section 36(1) of the Water Act 2003 transfers the functions of the Director to the Authority. This Order amends the Enterprise Act 2002 (Super-complaints to Regulators) Order 2003 (S.I. 2003/1368) and the Enterprise Act 2002 (Part 8 Designated Enforcers: Criteria for Designation, Designation of Public Bodies as Designated Enforcers and Transitional Provisions) Order 2003 (S.I. 2003/1399) to substitute references to the Authority for references to the Director.

No regulatory impact assessment has been prepared in respect of this Order as it has no impact on the costs of business. A regulatory impact assessment in respect of the Water Act 2003 was prepared and placed in the library of each House of Parliament during the passage of the Water Bill. This included an assessment of the provisions of Part 2 of that Act. Copies can be obtained from Water Supply and Regulation Division, Department for Environment, Food and Rural Affairs, 55 Whitehall, London SW1A 2EY or from the Department’s website at www.defra.gov.uk/environment/water/legislation.

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