

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the fifth commencement order made under the Water Act 2014 (c.21) (“the 2014 Act”) in relation to England and Wales. The Water Act 2014 (Commencement No. 1 and Transitional Provisions) (Wales) Order 2015 (S.I. 2015/1786 (W.249) (C.110)) is the first commencement order to have been made by the Welsh Ministers only.

Article 2 brings into force on 18th December 2015 provisions which allow the Secretary of State to make regulations (in parallel with an order made by the Scottish Ministers) that would allow the Water Services Regulation Authority (“Ofwat”) and the Water Industry Commission for Scotland to enable a single application for a water or a sewerage licence in both jurisdictions to be made. Article 2 also brings into force the remainder of section 14 of the 2014 Act which amends the special merger provisions in the Water Industry Act 1991 (c.56). This new special merger regime allows the Competition and Markets Authority (CMA) to determine whether or not to make a merger reference. It also enables the CMA to accept undertakings from the parties to the merger instead of making a merger reference.

Article 3 brings into force on 1st January 2016 provisions relating to water supply licences and sewerage licences.

Article 4 contains transitional provisions.

An impact assessment of the effect that the 2014 Act will have on the costs of business, the voluntary sector and the public sector is available from the Water Reform Team, Department for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London SW1P 3JR or at www.gov.uk/defra. No separate impact assessment has been produced for this instrument.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Water Act 2014 (Commencement No. 5 and Transitional Provisions) Order 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- art. 4(2) revoked by [S.I. 2016/465 Sch. 2 para. 6\(d\)](#)