
STATUTORY INSTRUMENTS

2016 No. 138

WATER RESOURCES, ENGLAND AND WALES

**The Water Environment (Water Framework Directive)
(England and Wales) (Amendment) Regulations 2016**

<i>Made</i>	- - - -	<i>9th February 2016</i>
<i>Laid before Parliament</i>		<i>10th February 2016</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>10th February 2016</i>
<i>Coming into force</i>	- -	<i>3rd March 2016</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by—

- (a) section 2(2) of the European Communities Act 1972 (“the 1972 Act”)(1), in relation to river basin districts that are wholly in England(2);
- (b) sections 82 and 219(2) of the Water Resources Act 1991 (“the 1991 Act”)(3), in relation to England, and with the agreement of the Welsh Ministers, in respect of those parts of Wales(4) within the catchment areas of the rivers Dee, Wye and Severn(5); and
- (c) section 102 of the 1991 Act(6), in relation to river basin districts in England and Wales.

The Welsh Ministers make these Regulations in exercise of the powers conferred by—

- (a) section 2(2) of the 1972 Act in relation to river basin districts that are wholly in Wales; and
- (b) sections 82 and 219(2) of the 1991 Act, in relation to those parts of Wales not within the catchment areas of the rivers Dee, Wye and Severn.

The Secretary of State and the Welsh Ministers make these Regulations jointly in exercise of the powers conferred by section 2(2) of the 1972 Act in relation to river basin districts that are partly in England and partly in Wales.

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- (1) 1972 c. 68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and by Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7).
 - (2) “River basin district” and “England” are defined in regulation 2(1) of [S.I. 2003/3242](#).
 - (3) [1991 c. 57](#); section 219(2) was amended by paragraph 176(a) of Schedule 22, and Schedule 24, to the Environment Act [1995 \(c. 25\)](#) and paragraph 28(4) of Part 2 of Schedule 7 to the Water Act [2003 \(c. 37\)](#).
 - (4) “Wales” is defined in regulation 2(1) of [S.I. 2003/3242](#).
 - (5) The functions of the Secretary of State, in relation to Wales, under section 82 (except in relation to those parts of Wales which are within the catchment areas of the rivers Dee, Wye and Severn) and section 219(2) of the Water Resources Act 1991 were transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 ([S.I. 1999/672](#)). Those functions are now exercisable by the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act [2006 \(c. 32\)](#). By virtue of article 5 and Schedule 2 to [S.I. 1999/672](#), and paragraph 30 of Schedule 11 to the Government of Wales Act 2006, the functions of the Secretary of State under section 82 of the Water Resources Act 1991 are exercisable only with the agreement of the Welsh Ministers in relation to those parts of Wales which are within the catchment areas of the rivers Dee, Wye and Severn.
 - (6) Section 102 was amended by [S.I. 2011/1043](#).

Changes to legislation: There are currently no known outstanding effects for the *The Water Environment (Water Framework Directive) (England and Wales) (Amendment) Regulations 2016, Introductory Text.* (See end of Document for details)

The Secretary of State is a Minister designated for the purposes of section 2(2) of the 1972 Act in relation to the environment⁽⁷⁾ and the Welsh Ministers are designated for the purposes of that provision in relation to measures relating to water resources⁽⁸⁾.

(7) [S.I. 2008/301](#).

(8) [S.I. 2003/2901](#), to which there are amendments not relevant to these Regulations. The functions conferred on the National Assembly for Wales by means of that Order are now exercisable by the Welsh Ministers by virtue of paragraph 28(1) of Schedule 11 to the Government of Wales Act 2006.

Changes to legislation:

There are currently no known outstanding effects for the The Water Environment (Water Framework Directive) (England and Wales) (Amendment) Regulations 2016, Introductory Text.