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WELSH STATUTORY INSTRUMENTS

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**2019 No. 460**

**The Flood and Water (Amendments) (England and Wales) (EU Exit) Regulations 2019**

**Amendment of the Water Supply (Water Quality) Regulations 2018**

7.—(1) The Water Supply (Water Quality) Regulations 2018<sup>M1</sup> are amended as follows.

(2) In regulation 2, after paragraph (5) insert—

“(6) In these Regulations, a reference to an EU or Euratom Directive is to be read as if any reference in that Directive to a member State in a provision imposing an obligation on, or providing a discretion to, a member State were to either the Welsh Ministers or local authority depending on which, immediately before exit day, was responsible for compliance with that obligation, or exercise of that discretion, in respect of England or Wales.”

(3) In regulation 6(15), for “communicate the grounds for the notification to the European Commission” substitute “publish, in such manner as the Welsh Ministers consider appropriate, the grounds for the notification”.

(4) In regulation 9, after paragraph (12) insert—

“(13) For the purposes of paragraph (11)(c), a reference to Articles 7(1) and 8 of Directive [2000/60/EC](#) is to be read with the following modifications—

(a) as if any reference to Annex 5 of that Directive were a reference to that Annex as modified by Part 1 of Schedule 5 to the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017<sup>M2</sup>;

(b) in Article 8, as if—

(i) in paragraph 1, the final indent were omitted;

(ii) in paragraph 2, the first sentence were omitted;

(iii) paragraph 3 were omitted.”

(5) In regulation 23—

(a) in paragraph (7) for “further departure” substitute “further two departures”;

(b) omit paragraphs (9) and (10).

(6) In regulation 31—

(a) omit paragraph (2)(a);

(b) in paragraph (2)(b), omit “of an EEA state or Turkey”;

(c) omit paragraph (3)(b);

(d) omit paragraph (15).

(7) In regulation 39(1)(h), omit “and (9) respectively”.

(8) After regulation 39 insert—

## “Reporting

**39A.**—(1) The Welsh Ministers must publish a report on the quality of water intended for human consumption, with the objective of informing consumers.

(2) A report under paragraph (1) must—

- (a) be published in such manner as the Welsh Ministers consider appropriate;
- (b) include, as a minimum, information on all individual supplies of water that—
  - (i) exceed 1,000m<sup>3</sup> a day as an average, or
  - (ii) serve more than 5,000 persons;
- (c) cover a period of three calendar years.

(4) The first report under this regulation must cover the years 2017, 2018 and 2019 and be published by 31<sup>st</sup> December 2021.

(5) Subsequent reports under this regulation must be published at intervals not exceeding three years.

(6) Any report published under paragraph (1) must also be made available on the Drinking Water Inspectorate's website.”

### Commencement Information

- I1** Reg. 7 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

### Marginal Citations

- M1** [S.I. 2018/647](#) (W. 121).  
**M2** [S.I. 2017/407](#), amended by [S.I. 2018/942](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Flood and Water (Amendments) (England and Wales) (EU Exit) Regulations 2019, Section 7.