

2015 No. 1786 (W. 249) (C. 110)

WATER, WALES

**The Water Act 2014
(Commencement No. 1 and
Transitional Provision) (Wales)
Order 2015**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made by the Welsh Ministers and brings into force section 41 of the Water Act 2014 (“the 2014 Act”).

Section 41 (disputes about the provision of public sewers: premises in Wales) of the 2014 Act makes amendments to section 101A (further duty to provide sewers) of the Water Industry Act 1991 (“the 1991 Act”) so as to make provision about the determination of disputes about the provision of a public sewer in Wales.

Prior to the making of this Order, the dispute determination role in Wales rested with the Natural Resources Body for Wales (“NRBW”). Section 41 of the Act gives that role to the Welsh Ministers, or a person they appoint, and requires the NRBW to advise the parties and the person determining the dispute, if requested.

This Order also provides that the NRBW shall continue to exercise the determination role in relation to disputes referred for determination under section 101A of the 1991 Act before the coming into force of section 41 of the 2014 Act.

**NOTE AS TO EARLIER COMMENCEMENT
ORDERS**

(This note is not part of the Order)

The following provisions of the Act have been or will be brought into force by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date</i>	<i>of</i>	<i>S.I. No.</i>
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	<i>Commencement</i>	
Section 1 (partially)	1 September 2015	2015/773
	1 September 2015	2015/1469
Section 4 (partially)	1 September 2015	2015/773
	1 September 2015	2015/1469
Section 8 (partially)	6 April 2015	2015/773
Section 14 (partially)	6 April 2015	2015/773
Section 16 (partially)	15 July 2015	2015/1469
Section 16 (so far as not already in force)	1 November 2015	2015/1469
Section 17 (partially)	6 April 2015	2015/773
	15 July 2015	2015/1469
Section 23 (partially)	1 January 2015	2014/3320
Section 23 (partially)	6 April 2015	2015/773
Section 24	6 April 2015	2015/773
Section 29 (partially)	1 January 2015	2014/3320
	15 July 2015	2015/1469
Section 30 (partially)	1 January 2015	2014/3320
	15 July 2015	2015/1469
Section 38 (partially)	1 January 2015	2014/3320
Section 38 (partially)	6 April 2015	2015/773
Section 40(1)	14 July 2014	2014/1823
Sections 42 to 47	6 April 2015	2015/773
Section 49	6 April 2015	2015/773
Sections 51 to 52	6 April 2015	2015/773
Section 53 (partially)	6 April 2015	2015/773
Section 55	1 January 2015	2014/3320
Section 56 (partially)	1 January 2015	2014/3320
	15 July 2015	2015/1469
	1 September 2015	2015/1469
	1 November 2015	2015/1469
Section 59	1 October 2014	2014/1823
Sections 64 to 68	1 January 2015	2014/3320
Section 69 (for	1 January 2015	2014/3320

all remaining purposes)		
Section 82 (partially)	1 January 2015	2014/3320
Sections 83 to 84	1 January 2015	2014/3320
Schedule 2 (partially)	1 September 2015	2015/773
	1 September 2015	2015/1469
Schedule 4 (partially)	1 September 2015	2015/773
	1 September 2015	2015/1469
Schedule 7 (partially)	1 January 2015	2014/3320
	15 July 2015	2015/1469
	1 September 2015	2015/1469
	1 November 2015	2015/1469
Schedule 9	14 July 2014	2014/1823

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Order 2015**

Made

7 October 2015

The Welsh Ministers make the following Order in exercise of the power conferred on them by sections 91(3) and 94(3) of the Water Act 2014⁽¹⁾.

Title and interpretation

1.—(1) The title of this Order is the Water Act 2014 (Commencement No. 1 and Transitional Provision) (Wales) Order 2015.

(2) In this Order “the Act” (“*y Ddeddf*”) means the Water Act 2014.

Appointed day

2. 1 November 2015 is the appointed day for the coming into force of section 41 (disputes about the provision of public sewers: premises in Wales) of the Act.

Transitional provision

3. Notwithstanding article 2, section 101A of the Water Industry Act 1991⁽²⁾ as in force immediately before the coming into force of this Order shall continue to have effect in relation to any dispute referred to the appropriate agency⁽³⁾ under that provision before the making of this Order.

(1) 2014 c.21. The Welsh Ministers are the appropriate authority under section 94(3) of that Act for these purposes by virtue of the table in paragraph 1 of Schedule 12 to the Act.

(2) 1991 c.56.

(3) In relation to disputes between sewerage undertakers and owners or occupiers of premises in Wales, prior to the commencement of section 41 of the Act, “the appropriate agency” for the purposes of section 101A of the Water Industry Act 1991 is the Natural Resources Body for Wales.

Carl Sargeant

The Minister for Natural Resources, one of the Welsh
Ministers

7 October 2015