#### WELSH STATUTORY INSTRUMENTS

### 2017 No. 1288 (W. 297) (C. 120)

# WATER, ENGLAND AND WALES

The Water Act 2014 (Commencement No. 10) Order 2017

#### EXPLANATORY NOTE

(This note is not part of the Order)

This Commencement Order is made by the Welsh Ministers under the Water Act 2014 ("the 2014 Act").

Article 2 brings into force sections 17 and 38 of the 2014 Act for all remaining purposes on the day after the day on which this Order is made. Section 17 amends the Water Industry Act 1991 ("the 1991 Act") by permitting rules to be issued about charges which may be levied by water undertakers and sewerage undertakers for connections to, and the provision of, water mains, public sewers and some associated infrastructure. Section 38 enables the Welsh Ministers to issue and revise guidance in relation to the charging rules issued by the Water Services Regulation Authority ("Ofwat").

Article 3 brings into force on 1 April 2019, sections 8 to 11 of the 2014 Act. These provisions amend the 1991 Act and provide new powers for Ofwat to issue charging rules with respect to undertakers' charges schemes, connection charges, and charges for bulk supplies of water (and connections for sewerage) between undertakers.

Section 8 of the 2014 Act replaces sections 40 and 40A of the 1991 Act with new sections 40 to 40J to regulate bulk water supply agreements between a water undertaker and another water undertaker, or a person who has made an application to become an undertaker.

Section 9 of the 2014 Act replaces the existing section 110A of the 1991 Act with new sections 110A to 110J to regulate main connection agreements between a sewerage undertaker and another sewerage

undertaker, or a person who has made an application to become an undertaker.

Section 10 of the 2014 Act amends section 51A of the 1991 Act and replaces sections 51B and 51C of that Act with new sections 51B to 51CG to regulate arrangements between a water undertaker and any person seeking to provide water mains or supply pipes for eventual adoption by the water undertaker.

Section 11 of the 2014 Act amends section 104 of the 1991 Act and inserts new sections 105ZA to 105ZI into that Act to regulate arrangements between a sewerage undertaker and any person seeking to provide sewers, drains or sewerage disposal works for eventual adoption by the sewerage undertaker.

Sections 8 to 11 also provide powers for the Welsh Ministers to issue guidance on the content of the new charging rules introduced by those sections. The power to issue guidance under the provisions inserted by sections 8 and 9 is exercisable jointly with the Secretary of State with regards certain agreements.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the 2014 Act have been or will be brought into force by commencement orders made before the date of this Order:

Provision	Date of	S.I. No
0 1	Commencement	2015/222
Section 1	1 September 2015	2015/773
(partially)		
Section 1	1 September 2015	2015/1469
(partially)		
Section 1	1 January 2016	2015/1938
(partially)		
Section 1	1 April 2016	2016/465
(partially)		
Section 1	1 September 2016	2016/465
(partially)	1	
Section 1	1 November 2016	2016/1007
(partially)		
Section 1	30 March 2017	2017/462
(partially)		
Section 1	1 April 2017	2017/462
(partially)		
Section 2	1 April 2017	2017/462
Section 4	1 September 2015	2015/773
(partially)		
Section 4	1 September 2015	2015/1469
(partially)		

Section 4 (partially)  Section 6 (partially)  Section 6 (partially)  Section 6 (for all remaining purposes)  Section 7 (partially)  Section 7 (partially)  Section 8 (partially)  Section 8 (partially)  Section 8 (partially)  Section 8 (partially)  Section 9 (partially, for cases in which the Secretary of State is the appropriate authority)  Section 10 (partially)  Section 10 (for all remaining purposes in relation to			
Section 4 (partially)   Section 6 (partially)   Section 6 (partially)   Section 6 (partially)   Section 6 (for all remaining purposes)   Section 7 (partially)   Section 7 (partially)   Section 7 (for all remaining purposes)   Section 8 (partially)   Section 9 (partially)   Section 9 (partially, for cases in which the Secretary of State is the appropriate authority)   Section 10 (partially)   Section 10 (for all remaining purposes in relation to wholly or mainly   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purposes in relation to   Section 10 (for all remaining purpo		1 January 2016	2015/1938
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Section 6 (partially)  Section 6 (for all remaining purposes)  Section 7 (partially)  Section 7 (partially)  Section 7 (for all remaining purposes)  Section 7 (for all remaining purposes)  Section 7 (for all remaining purposes)  Section 8 (partially)  Section 8 (partially)  Section 8 (partially)  Section 8 (partially, for cases in which the Secretary of State is the appropriate authority)  Section 9 (partially, for cases in which the Secretary of State is the appropriate authority)  Section 10 (partially)  Section 10 (partially)  Section 10 (partially, in relation to wholly or mainly English undertakers)  Section 10 (for all remaining purposes in relation to	Section 4	1 April 2017	2017/462
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(partially, in relation to wholly or mainly English undertakers)  Section 10 (for all remaining purposes in relation to		18 December 2015	2015/1938
all remaining purposes in relation to	(partially, in relation to wholly or mainly English	1 April 2017	2017/462
English undertakers)	all remaining purposes in relation to wholly or mainly English undertakers)	1 October 2017	2017/462
Section 11 (partially) 18 December 2015 2015/1938		18 December 2015	2015/1938
Section 11   1 April 2017   2017/462   (partially, in		1 April 2017	2017/462

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wholly or mainly		
English		
undertakers)		
Section 11 (for	1 October 2017	2017/462
all remaining		
purposes in		
relation to		
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English		
undertakers)		
Section 14	6 April 2015	2015/773
(partially)		
Section 14 (for	18 December 2015	2015/1938
all remaining		
purposes)	45.7.1.00:5	2045/5152
Section 16	15 July 2015	2015/1469
(partially)	437 4 5015	2045/5152
Section 16 (for	1 November 2015	2015/1469
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Section 17	6 April 2015	2015/773
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Section 17	15 July 2015	2015/1469
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Section 17 (for	1 April 2016	2016/465
all remaining		
purposes in		
relation to		
wholly or mainly		
English undertakers)		
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Section 18 (in relation to	1 April 2018	2017/462
wholly or mainly		
English		
undertakers)		
Section 19 (in	1 April 2018	2017/462
relation to	1 April 2010	201//402
wholly or mainly		
English		
undertakers)		
Section 20 (in	1 April 2018	2017/462
relation to	111pm 2010	2017/102
wholly or mainly		
English		
undertakers)		
Section 22 (for	18 December 2015	2015/1938
all remaining		
purposes)		
Section 23	1 January 2015	2014/3320
(partially)	,	
Section 23	6 April 2015	2015/773
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relation to		
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undertakers)		
Section 24	6 April 2015	2015/773
Section 25 (for	1 April 2016	2016/465
all remaining		
purposes)		
Section 29	1 January 2015	2014/3320
(partially for		
cases in which		
the Secretary of		
State is the appropriate		
authority)		
Section 29	15 July 2015	2015/1469
(partially)	15 July 2015	2013/1709
Section 29 (for	1 November 2016	2016/1007
all remaining	1 Trovenioer 2010	2010/100/
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authority)		
Section 30	1 January 2015	2014/3320
(partially)	15 1 1 2015	2017/1460
Section 30	15 July 2015	2015/1469
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Section 30 (for	1 November 2016	2016/1007
all remaining purposes)		
Section 31	1 April 2017	2017/462
Section 32	6 March 2017	2017/58
(partially)	5 17141011 201 /	2011/30
Section 32 (for	1 April 2017	2017/462
all remaining		
purposes)		
Section 34	1 September 2016	2016/465
(partially)		
Section 37	1 April 2016	2016/465
Section 38	1 January 2015	2014/3320
(partially in		
relation to		
wholly or mainly		
English		
undertakers)	C 1 11 201 7	2017/77
Section 38	6 April 2015	2015/773
(partially in		

relation to		1
wholly or mainly		
Welsh		
undertakers)		
Section 38 (for	1 April 2016	2016/465
all remaining	1 April 2010	2010/403
purposes in		
relation to		
wholly or mainly		
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undertakers)		
Section 40	14 July 2014	2014/1823
(partially)		
Section 40	1 November 2016	2016/1007
(partially)	11(0,0110012010	2010,100,
Section 41 (in	1 November 2015	2015/1786
relation to	111010111001 2013	(W. 249)
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Sections 42 to	6 April 2015	2015/773
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Section 49	6 April 2015	2015/773
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Section 53	6 April 2015	2015/773
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Section 55	1 January 2015	2014/3320
Section 56	1 January 2015	2014/3320
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Section 56	15 July 2015	2015/1469
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Section 56	1 September 2015	2015/1469
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Section 56	1 November 2015	2015/1469
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Section 56	18 December 2015	2015/1938
(partially)	10 December 2015	2013/1930
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Section 56	1 April 2016	2016/465
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Section 56	1 September 2016	2016/465
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Section 56	1 November 2016	2016/1007
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Section 56	1 April 2017	2017/462
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Section 56	1 April 2018	2017/462
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Section 59	1 October 2014	2014/1823
Sections 64 to	1 January 2015	2014/3320
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Section 69 (for	1 January 2015	2014/3320
all remaining	,	
purposes)		
Section 82	1 January 2015	2014/3320
(partially)		
Sections 83 and	1 January 2015	2014/3320
84	1 Junuary 2013	201 1/3320
Schedule 1	1 January 2016	2015/1938
Schedule 2		2015/773
	1 September 2015	2013/7/3
(partially)	1.0 . 1 . 2017	2017/1460
Schedule 2	1 September 2015	2015/1469
(partially)		2015/157
Schedule 2	1 April 2016	2016/465
(partially)		
Schedule 2	30 March 2017	2017/462
(partially)		
Schedule 2	1 April 2017	2017/462
(partially)		
Schedule 3	1 January 2016	2015/1938
Schedule 4	1 September 2015	2015/773
(partially)		
Schedule 4	1 September 2015	2015/1469
(partially)	1 September 2013	2013/1107
Schedule 4	1 April 2016	2016/465
(partially)	1 April 2010	2010/403
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Schedule 4	30 March 2017	2017/462
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Schedule 4	1 April 2017	2017/462
(partially)		
Schedule 6	1 April 2016	2016/465
Schedule 7	1 January 2015	2014/3320
(partially)		
Schedule 7	15 July 2015	2015/1469
(partially)		
Schedule 7	1 September 2015	2015/1469
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Schedule 7	1 November 2015	2015/1469
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Schedule 7	18 December 2015	2015/1938
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Schedule 7	1 April 2016	2016/465
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Schedule 7 (partially)	1 April 2017	2017/462
Schedule 7	1 October 2017	2017/462
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Schedule 7 (partially)	1 April 2018	2017/462
Schedule 9	14 July 2014	2014/1823

#### WELSH STATUTORY INSTRUMENTS

### 2017 No. 1288 (W. 297) (C. 120)

# WATER, ENGLAND AND WALES

The Water Act 2014 (Commencement No. 10) Order 2017

Made

14 December 2017

The Welsh Ministers make this Order in exercise of the power conferred on them by section 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. 10) Order 2017.
- (2) In this Order "the 2014 Act" ("Deddf 2014") means the Water Act 2014.

## Provisions of the 2014 Act coming into force on the day after the day on which this Order is made

- **2.** The following provisions of the 2014 Act, so far as not already in force, come into force on the day after the day on which this Order is made—
  - (a) section 17 (rules about charges for connections etc); and
  - (b) section 38 (guidance relating to rules about charges).

## Provisions of the 2014 Act coming into force on 1 April 2019

- **3.** The following provisions of the 2014 Act come into force on 1 April 2019—
  - (a) section 8 (bulk supply of water by water undertakers) so far as not already in force;

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

- (b) section 9 (main connections into sewerage systems);
- (c) section 10 (agreements by water undertakers to adopt infrastructure) so far as not already in force; and
- (d) section 11 (agreements by sewerage undertakers to adopt infrastructure) so far as not already in force.

Leslie Griffiths
Cabinet Secretary for Energy, Planning and Rural
Affairs, one of the Welsh Ministers
14 December 2017