

This Statutory Instrument has been made in consequence of defects in S.I. 2017/462 (C. 41) and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2017 No. 926 (C. 78)

WATER INDUSTRY, ENGLAND AND WALES

**The Water Act 2014 (Commencement No. 9 and
Transitional Provisions) (Amendment) Order 2017**

Made - - - - 18th September 2017

The Secretary of State makes this Order in exercise of the powers conferred by section 94(3) of the Water Act 2014(1).

Citation

1. This Order may be cited as the Water Act 2014 (Commencement No. 9 and Transitional Provisions) (Amendment) Order 2017.

**Amendment of the Water Act 2014 (Commencement No. 9 and Transitional Provisions)
Order 2017**

2.—(1) The Water Act 2014 (Commencement No. 9 and Transitional Provisions) Order 2017(2) is amended as follows.

(2) In paragraph (d) of article 4 (provisions of the 2014 Act coming into force on 1st October 2017), for sub-paragraphs (ii) to (iv) substitute—

“(ii) paragraph 92 so far as it relates to a sewerage undertaker whose area is wholly or mainly in England;

(iii) paragraph 95 so far as it relates to a sewerage undertaker whose area is wholly or mainly in England;

(iv) paragraph 98 as follows—

(aa) sub-paragraph (1) so far as it relates to paragraph (bb);

(bb) sub-paragraph (2) so far as it relates to a sewerage undertaker whose area is wholly or mainly in England.”

(1) 2014 c. 21. The power in section 94(3) to appoint a day on which the remaining provisions of the Water Act 2014 come into force is vested in the “appropriate authority”. Section 94(6) provides that the appropriate authority is the Secretary of State except as stated in the table in Schedule 12.

(2) S.I. 2017/462 (C. 41).

- (3) In paragraph (e) of article 5 (provisions of the 2014 Act coming into force on 1st April 2018)—
- (a) in sub-paragraph (i), for “and (iii)” substitute “to (iv)”;
 - (b) at the end of sub-paragraph (ii), insert “so far as they relate to a water undertaker whose area is wholly or mainly in England”;
 - (c) for sub-paragraph (iii) substitute—
 - “(iii) paragraphs 87 and 88 so far as they relate to a sewerage undertaker whose area is wholly or mainly in England;
 - (iv) paragraph 89 as follows—
 - (aa) sub-paragraph (a);
 - (bb) sub-paragraph (b) so far as it relates to a sewerage undertaker whose area is wholly or mainly in England.”.

Thérèse Coffey
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

18th September 2017

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Water Act 2014 (Commencement No. 9 and Transitional Provisions) Order 2017 (S.I. 2017/462 (C. 41)) so that the commencement of certain provisions of Schedule 7 to the Water Act 2014 (c. 21) only applies to wholly or mainly English water or sewerage undertakers and does not apply to wholly or mainly Welsh water or sewerage undertakers.

Impact assessments of the effect that the Water Act 2014 will have on the costs of business, the voluntary sector and the public sector are available from the Water Services Team, Department for Environment, Food and Rural Affairs, Nobel House, 17 Smith Square, London SW1P 3JR and are published alongside the Water Act 2014 at www.legislation.gov.uk. No separate impact assessment has been produced for this instrument.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Water Act 2014 have been brought into force by a commencement order made before the date of this Order (not including the provisions commenced by the Water Act 2014 (Commencement No. 9 and Transitional Provisions) Order 2017 which is amended by this Order):

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--|-----------------------------|-------------------|
| Section 1 (partially) | 1st September 2015 | 2015/773 |
| Section 1 (partially) | 1st September 2015 | 2015/1469 |
| 1st January 2016 | Section 1 (partially) | 2015/1938 |
| Section 1 (partially) | 1st April 2016 | 2016/465 |
| Section 1 (partially) | 1st September 2016 | 2016/465 |
| Section 1 (partially) | 1st November 2016 | 2016/1007 |
| Section 4 (partially) | 1st September 2015 | 2015/773 |
| Section 4 (partially) | 1st September 2015 | 2015/1469 |
| Section 4 (partially) | 1st January 2016 | 2015/1938 |
| Section 4 (partially) | 1st April 2016 | 2016/465 |
| Section 4 (partially) | 1st September 2016 | 2016/465 |
| Section 6 (partially) | 18th December 2015 | 2015/1938 |
| Section 6 (for all remaining purposes) | 1st April 2016 | 2016/465 |
| Section 7 (partially) | 20th November 2015 | 2015/360 (S.S.I.) |
| Section 7 (for all remaining purposes) | 1st April 2016 | 2016/48 (S.S.I.) |
| Section 8 (partially) | 6th April 2015 | 2015/773 |

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|---|-----------------------------|-------------------|
| Section 8 (partially) | 1st November 2016 | 2016/1007 |
| Section 9 (partially) | 1st November 2016 | 2016/1007 |
| Section 10 (partially) | 18th December 2015 | 2015/1938 |
| Section 11 (partially) | 18th December 2015 | 2015/1938 |
| Section 14 (partially) | 6th April 2015 | 2015/773 |
| Section 14 (for all remaining purposes) | 18th December 2015 | 2015/1938 |
| Section 16 (partially) | 15th July 2015 | 2015/1469 |
| Section 16 (for all remaining purposes) | 1st November 2015 | 2015/1469 |
| Section 17 (partially) | 6th April 2015 | 2015/773 |
| Section 17 (partially) | 15th July 2015 | 2015/1469 |
| Section 17 (partially) | 1st April 2016 | 2016/465 |
| Section 22 (for all remaining purposes) | 18th December 2015 | 2015/1938 |
| Section 23 (partially) | 1st January 2015 | 2014/3320 |
| Section 23 (partially) | 6th April 2015 | 2015/773 |
| Section 23 (for all remaining purposes) | 1st April 2016 | 2016/465 |
| Section 24 | 6th April 2015 | 2015/773 |
| Section 25 (for all remaining purposes) | 1st April 2016 | 2016/465 |
| Section 29 (partially) | 1st January 2015 | 2014/3320 |
| Section 29 (partially) | 15th July 2015 | 2015/1469 |
| Section 29 (for all remaining purposes) | 1st November 2016 | 2016/1007 |
| Section 30 (partially) | 1st January 2015 | 2014/3320 |
| Section 30 (partially) | 15th July 2015 | 2015/1469 |
| Section 30 (for all remaining purposes) | 1st November 2016 | 2016/1007 |
| Section 32 (partially) | 6th March 2017 | 2017/58 |
| Section 34 (partially) | 1st September 2016 | 2016/465 |
| Section 37 | 1st April 2016 | 2016/465 |
| Section 38 (partially) | 1st January 2015 | 2014/3320 |
| Section 38 (partially) | 6th April 2015 | 2015/773 |
| Section 38 (for all remaining purposes) | 1st April 2016 | 2016/465 |
| Section 40 (partially) | 14th July 2014 | 2014/1823 |
| Section 40 (partially) | 1st November 2016 | 2016/1007 |
| Section 41 | 1st November 2015 | 2015/1786 (W.249) |
| Sections 42 to 47 | 6th April 2015 | 2015/773 |
| Section 49 | 6th April 2015 | 2015/773 |

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|---|-----------------------------|-----------------|
| Sections 51 and 52 | 6th April 2015 | 2015/773 |
| Section 53 (partially) | 6th April 2015 | 2015/773 |
| Section 55 | 1st January 2015 | 2014/3320 |
| Section 56 (partially) | 1st January 2015 | 2014/3320 |
| Section 56 (partially) | 15th July 2015 | 2015/1469 |
| Section 56 (partially) | 1st September 2015 | 2015/1469 |
| Section 56 (partially) | 1st November 2015 | 2015/1469 |
| Section 56 (partially) | 18th December 2015 | 2015/1938 |
| Section 56 (partially) | 1st January 2016 | 2015/1938 |
| Section 56 (partially) | 1st April 2016 | 2016/465 |
| Section 56 (partially) | 1st September 2016 | 2016/465 |
| Section 56 (partially) | 1st November 2016 | 2016/1007 |
| Section 56 (partially) | 6th March 2017 | 2017/58 |
| Section 59 | 1st October 2014 | 2014/1823 |
| Sections 64 to 68 | 1st January 2015 | 2014/3320 |
| Section 69 (for all remaining purposes) | 1st January 2015 | 2014/3320 |
| Section 82 (partially) | 1st January 2015 | 2014/3320 |
| Sections 83 and 84 | 1st January 2015 | 2014/3320 |
| Schedule 1 | 1st January 2016 | 2015/1938 |
| Schedule 2 (partially) | 1st September 2015 | 2015/773 |
| Schedule 2 (partially) | 1st September 2015 | 2015/1469 |
| Schedule 2 (partially) | 1st April 2016 | 2016/465 |
| Schedule 2 (partially) | 1st September 2016 | 2016/465 |
| Schedule 3 | 1st January 2016 | 2015/1938 |
| Schedule 4 (partially) | 1st September 2015 | 2015/773 |
| Schedule 4 (partially) | 1st September 2015 | 2015/1469 |
| Schedule 4 (partially) | 1st April 2016 | 2016/465 |
| Schedule 4 (partially) | 1st September 2016 | 2016/465 |
| Schedule 6 | 1st April 2016 | 2016/465 |
| Schedule 7 (partially) | 1st January 2015 | 2014/3320 |
| Schedule 7 (partially) | 15th July 2015 | 2015/1469 |
| Schedule 7 (partially) | 1st September 2015 | 2015/1469 |
| Schedule 7 (partially) | 1st November 2015 | 2015/1469 |
| Schedule 7 (partially) | 18th December 2015 | 2015/1938 |

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| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|------------------------|-----------------------------|---------------------------|
| Schedule 7 (partially) | 1st January 2016 | 2015/1938 |
| Schedule 7 (partially) | 1st April 2016 | 2016/465 |
| Schedule 7 (partially) | 1st September 2016 | 2016/465 |
| Schedule 7 (partially) | 1st November 2016 | 2016/1007 |
| Schedule 7 (partially) | 6th March 2017 | 2017/58 |
| Schedule 9 | 14th July 2014 | 2014/1823 |