
WELSH STATUTORY INSTRUMENTS

2004 No. 910 (W.93)(C.39)

ENVIRONMENTAL PROTECTION, WALES

The Water Act 2003 (Commencement) (Wales) Order 2004

Made - - - - *24th March 2004*

The National Assembly for Wales, in exercise of the powers conferred on it by Section 105 of the Water Act 2003⁽¹⁾ (“the Act”), having consulted the Secretary of State in relation to the commencement of section 67 of the Act, makes the following Order:

Citation

1. This Order may be cited as the Water Act 2003 (Commencement) (Wales) Order 2004.

Appointed Day

- 2.—(1) The day appointed for the coming into force of—
 - (a) section 67 of the Act (membership of regional flood defence committees in Wales);
 - (b) section 69 of the Act (grants for drainage works and flood warning systems);
 - (c) paragraph 42 of schedule 7 to the Act (minor consequential amendments) and section 101(1) of the Act so far as relating thereto;
 - (d) schedule 9 to the Act (repeals and revocation), in so far as it relates to section 222(1) of the Water Resources Act 1991⁽²⁾ and section 101(1) of the Environment Act 1995⁽³⁾; and
 - (e) section 75 of the Act (extension of enforcement authority’s reserve powers);

is 1 April 2004.

- (2) The provisions referred to in paragraph 1(b) to (e) are brought into force only in relation to Wales.

(1) 2003 c. 37.
(2) 1991 c. 57.
(3) 1995 c. 25.

Status: This is the original version (as it was originally made).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

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4).

24th March 2004

John Marek
The Deputy Presiding Officer of the National
Assembly

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force the provisions of section 67 of the Water Act 2003; sections 69 and 75 of the Act in relation to Wales; and consequential amendments and repeals.

Section 67 of the Act inserts new sections 16A and 16B into the Environment Act 1995. New section 16A enables the National Assembly for Wales, by order made by statutory instrument, to make provision, subject to conditions, determining the total number of members, and the method of selection and appointment of the chairman and other members of Welsh regional flood defence committees, and to make provision for such supplementary purposes as the National Assembly for Wales considers appropriate.

Section 69 repeals sections 147 to 149 of the Water Resources Act 1991 so as to remove any doubt that drainage and flood warning grants to the Agency may be paid under section 47 of the Environment Act 1995.

Section 75 amends the Reservoirs Act 1975 to extend the enforcement authority's reserve powers in the event of non-compliance by a reservoir undertaker with certain requirements.