
WELSH STATUTORY INSTRUMENTS

2012 No. 2048

The Flood and Water Management Act 2010 (Commencement No.8 and Transitional Provisions) Order 2012

Transitional Provisions

3.—(1) In this article—

“the 1984 Act” (“*Deddf 1984*”) means the Building Act 1984(1);

“the 1991 Act” (“*Deddf 1991*”) means the Water Industry Act 1991(2);

“the 2010 Regulations” (“*Rheoliadau 2010*”) means the Building Regulations 2010(3);

“amendment notice” (“*hysbysiad diwygio*”) means a notice given under section 51A of the 1984 Act;

“building” (“*adeilad*”) has the meaning given in regulation 3(1) of the 2010 Regulations;

“building notice” (“*hysbysiad adeiladu*”) means a notice given under regulations 12(2)(a) and 13 of the 2010 Regulations;

“building work” (“*gwaith adeiladu*”) has the meaning given in regulation 3(1) of the 2010 Regulations;

“full plans” (“*planiau llawn*”) means plans deposited with a local authority for the purposes of section 16 of the 1984 Act in accordance with regulations 12(2)(b) and 14 of the 2010 Regulations;

“initial notice” (“*hysbysiad cychwynnol*”) means a notice given under section 47 of the 1984 Act;

“lateral drain” (“*draen ochrol*”) has the meaning given in section 219(1) of the 1991 Act;

“local authority” (“*awdurdod lleol*”) has the meaning in section 126 of the 1984 Act;

“plans certificate” (“*tystysgrif planiau*”) means a certificate given under section 50 of the 1984 Act;

“public body’s notice” (“*hybysiad corff cyhoeddus*”) means a notice given under section 54 of the 1984 Act;

“sewer” (“*carthffos*”) has the meaning given in section 219(1) of the 1991 Act.

(2) Where a sewer or lateral drain is connected with building work where—

(a) before 1 October 2012 a building notice, an initial notice, a plans certificate, an amendment notice or a public body’s notice has been given to, or full plans deposited with, a local authority, and

(b) the work is started before 1 October 2013,

then section 106B(4) of the 1991 Act applies as if the reference in section 106B(4)(a) of the 1991 Act to the “standards published by the Minister” and the reference in section 106B(4)(b) of the 1991 Act to “those standards” were references to the relevant notice, certificate or plans.

(1) 1984 c. 55.

(2) 1991 c. 56.

(3) S.I. 2010/2214.

Status: This is the original version (as it was originally made).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

(3) Section 106B(4) of the 1991 Act does not apply to a sewer or lateral drain that is connected exclusively with buildings or extensions in relation to work which may be started without the requirement under the 2010 Regulations for a building notice, an initial notice, a plans certificate, an amendment notice or a public body's notice to be given to a local authority, or full plans to be deposited with a local authority.

(4) Article 3(3) does not apply after 1 October 2013 except to a sewer or lateral drain which is connected with buildings or extensions for which work has started before that date.