
WELSH STATUTORY INSTRUMENTS

2016 No. 410 (W. 128)

WATER, ENGLAND AND WALES

**The Water Supply (Water Quality)
(Amendment) Regulations 2016**

<i>Made</i>	- - - -	<i>21 March 2016</i>
<i>Laid before Parliament</i>		<i>23 March 2016</i>
<i>Laid before National Assembly for Wales</i>	- - - -	<i>23 March 2016</i>
<i>Coming into force</i>	- -	<i>14 April 2016</i>

The Welsh Ministers are designated⁽¹⁾ for the purposes of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to the quality of water intended for domestic purposes or for use in a food production undertaking.

The Welsh Ministers make these Regulations in exercise of the powers conferred upon them by section 2(2) of the European Communities Act 1972 and section 67, 69, 77(3) and (4) and 213(2) of the Water Industry Act 1991⁽³⁾:

(1) [S.I. 2004/3328](#), as amended by [S.I. 2005/850](#), [S.I. 2007/1349](#), [S.I. 2008/301](#), [S.I. 2012/1759](#) and [S.I. 2014/1362](#).; the functions conferred on the National Assembly for Wales by means of that Order are now exercisable by the Welsh Ministers by virtue of section 162 of, and paragraphs 28 and 30 of Schedule 11 to, the Government of Wales Act 2006 ([c.32](#)).

(2) [1972 c.68](#).

(3) [1991 c.56](#); the functions of the Secretary of State under section 67 were transferred to the National Assembly for Wales (“the Assembly”) (a) for the making of regulations concerning water supplied using the supply system of a water undertaker, in relation to the supply system of any water undertaker whose area is wholly or mainly in Wales; and (b) for the making of regulations concerning water supplied other than using the supply system of a water undertaker, in relation to Wales, by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 ([S.I. 1999/672](#)) (“the 1999 Order”); the functions of the Secretary of State under section 69 (as amended) of that Act were, in relation to any water undertaker whose area is wholly or mainly in Wales and any licensed water supplier so far as relating to licensed activities using the supply system of any such water undertaker, transferred to the Assembly by the same provisions of the 1999 Order; the functions of the Secretary of State under section 77 of that Act were transferred to the Assembly in relation to Wales by the same provision of the 1999 Order; the functions of the Secretary of State under section 213 (as amended) of that Act were made exercisable by the Assembly to the same extent as the powers to which that section applies were made exercisable by the Assembly by virtue of the same provisions of the 1999 Order: *see* the entry in Schedule 1 to the 1999 Order for the Water Industry Act 1991 as substituted by paragraph (e) of Schedule 3 to the National Assembly for Wales (Transfer of Functions) Order 2000 ([S.I. 2000/253](#)) and amended by section 100(2) of the Water Act 2003 ([c.37](#)); there are other amending instruments but none are relevant.

References in Schedule 1 to the 1999 Order to specific sections of the Water Industry Act 1991 are treated by section 100(6) of the Water Act 2003 as referring to those sections as amended by the Water Act 2003. *See* section 219 (as amended) of the Water Industry Act 1991 for the definitions of “supply system” and “licensed water supplier”. By virtue of section 162 of, and paragraphs 28 and 30 of Schedule 11 to, the Government of Wales Act 2006, the functions conferred on the Assembly are now exercisable by the Welsh Ministers.