



OFFERYNNAU STATUDOL  
CYMRU

WELSH STATUTORY  
INSTRUMENTS

2017 Rhif 88 (Cy. 32) (C. 9)

2017 No. 88 (W. 32) (C. 9)

**DŴR, CYMRU**

**WATER, WALES**

Gorchymyn Deddf Dŵr 2003  
(Cychwyn Rhif 4) (Cymru) 2017

The Water Act 2003  
(Commencement No. 4) (Wales)  
Order 2017

**NODYN ESBONIADOL**

**EXPLANATORY NOTE**

*(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)*

*(This note is not part of the Order)*

Mae'r Gorchymyn hwn yn dwyn i rym adran 58(8) o Ddeddf Dŵr 2003 ("y Ddeddf") o ran Cymru.

This Order brings into force section 58(8) of the Water Act 2003 ("the Act") in relation to Wales.

Mae adran 58(8) o'r Ddeddf yn diwygio adran 213 o Ddeddf Diwydiant Dŵr 1991 ac yn cynnwys diwygiadau i'r weithdrefn ar gyfer rhai pwerau i wneud rheoliadau.

Section 58(8) of the Act amends section 213 of the Water Industry Act 1991 and includes amendments to the procedure for certain regulation making powers.

Cychwynwyd adran 58(8) o'r Ddeddf o ran Lloegr gan O.S. 2005/344 ac O.S. 2009/359.

Section 58(8) of the Act was commenced in relation to England by S.I. 2005/344 and S.I. 2009/359.

**NODYN AM Y GORCHMYNION CYCHWYN  
BLAENOROL**

**NOTE AS TO EARLIER COMMENCEMENT  
ORDERS**

*(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)*

*(This note is not part of the Order)*

Mae'r darpariaethau a ganlyn o'r Ddeddf wedi eu dwyn i rym o ran Cymru drwy orchmynion cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

The following provisions of the Act have been brought into force in relation to Wales by commencement orders made before the date of this Order:

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>
adran 69	1.4.2004	2004/910 (Cy.93) (C.39)
adran 75	1.4.2004	2004/910 (Cy.93) (C.39)
adrannau 77 a 78	11.11.2004	2004/2916 (Cy.255) (C.120)
adrannau 80 ac 81	11.11.2004	2004/2916 (Cy.255) (C.120)
adran 86	11.11.2004 a 6.4.2012	2004/2916 (Cy.255) (C.120) a 2012/284 (Cy.48)(C.9)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s.69	1.4.2004	2004/910 (W.93) (C.39)
s.75	1.4.2004	2004/910 (W.93) (C.39)
ss.77 and 78	11.11.2004	2004/2916 (W.255) (C.120)
ss.80 and 81	11.11.2004	2004/2916 (W.255) (C.120)
s.86	11.11.2004 and 6.4.2012	2004/2916 (W.255) (C.120) and 2012/284 (W.48) (C.9)

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>
adran 101(1) ac Atodlen 7 (yn rhannol)	1.4.2004 a 11.11.2004	2004/910 (Cy.93) (C.39) a 2004/2916 (Cy.255) (C.120)
adran 101(2) ac Atodlen 9 (yn rhannol)	1.4.2004 a 11.11.2004	2004/910 (Cy.93) (C.39) a 2004/2916 (Cy.255) (C.120)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s.101(1) and Sch. 7 (partially)	1.4.2004 and 11.11.2004	2004/910 (W.93) (C.39) and 2004/2916 (W.255) (C.120)
s.101(2) and Sch. 9 (partially)	1.4.2004 and 11.11.2004	2004/910 (W.93) (C.39) and 2004/2916 (W.255) (C.120)

Mae'r darpariaethau a ganlyn o'r Ddeddf wedi eu dwyn i rym yng Nghymru a Lloegr drwy orchymnion cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

The following provisions of the Act have been brought into force in England and Wales by commencement orders made before the date of this Order:

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>
adran 1	1.4.2006	2006/984 (C.30)
adran 2	1.4.2006	2006/984 (C.30)
adran 3	1.4.2006	2006/984 (C.30)
adran 4	1.4.2006	2006/984 (C.30)
adran 6	1.4.2004 a 1.4.2005	2004/641 (C.24) a 2005/968 (C.43)
adran 8 (yn rhannol)	1.4.2006	2006/984 (C.30)
adran 9	1.4.2004	2004/641 (C.24)
adran 10	1.4.2004 a 1.4.2005	2004/641 (C.24) a 2005/968 (C.43)
adran 11	1.4.2006	2006/984 (C.30)
adran 12	1.4.2006	2006/984 (C.30)
adran 13	1.4.2006	2006/984 (C.30)
adran 14	1.4.2006	2006/984 (C.30)
adran 15	1.4.2004	2004/641 (C.24)
adran 16	1.4.2004 a 1.4.2005	2004/641 (C.24) a 2005/968 (C.43)
adran 17	1.4.2005	2005/968 (C.43)
adran 18	1.4.2004	2004/641 (C.24)
adran 19	1.4.2004 a 1.4.2006	2004/641 (C.24) a 2006/984 (C.30)
adran 20	1.4.2004	2004/641 (C.24)
adran 21	1.4.2006	2006/984 (C.30)
adran 22	1.4.2006	2006/984 (C.30)
adran 23	1.4.2006	2006/984 (C.30)
adran 24	1.4.2005	2004/641 (C.24)
adran 25	1.4.2004 a 1.4.2006	2004/641 (C.24) a 2006/984 (C.30)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s.1	1.4.2006	2006/984 (C.30)
s.2	1.4.2006	2006/984 (C.30)
s.3	1.4.2006	2006/984 (C.30)
s.4	1.4.2006	2006/984 (C.30)
s.6	1.4.2004 and 1.4.2005	2004/641 (C.24) and 2005/968 (C.43)
s.8 (partially)	1.4.2006	2006/984 (C.30)
s.9	1.4.2004	2004/641 (C.24)
s.10	1.4.2004 and 1.4.2005	2004/641 (C.24) and 2005/968 (C.43)
s.11	1.4.2006	2006/984 (C.30)
s.12	1.4.2006	2006/984 (C.30)
s.13	1.4.2006	2006/984 (C.30)
s.14	1.4.2006	2006/984 (C.30)
s.15	1.4.2004	2004/641 (C.24)
s.16	1.4.2004 and 1.4.2005	2004/641 (C.24) and 2005/968 (C.43)
s.17	1.4.2005	2005/968 (C.43)
s.18	1.4.2004	2004/641 (C.24)
s.19	1.4.2004 and 1.4.2006	2004/641 (C.24) and 2006/984 (C.30)
s.20	1.4.2004	2004/641 (C.24)
s.21	1.4.2006	2006/984 (C.30)
s.22	1.4.2006	2006/984 (C.30)
s.23	1.4.2006	2006/984 (C.30)
s.24	1.4.2005	2004/641 (C.24)
s.25	1.4.2004 and 1.4.2006	2004/641 (C.24) and 2006/984 (C.30)
s.26	1.10.2004	2004/2528 (C.106)
s.27	1.4.2004	2004/641 (C.24)

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>	<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
adran 26	1.10.2004	2004/2528 (C.106)	ss.28 and 29	1.10.2004	2004/2528 (C.106)
adran 27	1.4.2004	2004/641 (C.24)	s.30	1.4.2006	2006/984 (C.30)
adrannau 28 a 29	1.10.2004	2004/2528 (C.106)	s.31	1.10.2004	2004/2528 (C.106)
adran 30	1.4.2006	2006/984 (C.30)	s.33	1.4.2006	2006/984 (C.30)
adran 31	1.10.2004	2004/2528 (C.106)	s.34 (partially)	1.4.2006	2005/2714 (C.109)
adran 33	1.4.2006	2006/984 (C.30)	s.35	1.8.2005, 1.10.2005 and 1.4.2006	2005/968 (C.43) and 2005/2714 (C.109)
adran 34 (yn rhannol)	1.4.2006	2005/2714 (C.109)	s.36 and Sch. 3(†)	1.4.2005 and 1.4.2006	2005/968 (C.43) and 2005/2714 (C.109)
adran 35	1.8.2005, 1.10.2005 a 1.4.2006	2005/968 (C.43) a 2005/2714 (C.109)	s.37	1.4.2004	2004/641 (C.24)
adran 36 ac Atodlen 3 (‡)	1.4.2005 a 1.4.2006	2005/968 (C.43) a 2005/2714 (C.109)	s.38	1.10.2004 and 1.10.2005	2004/2528 (C.106) and 2005/2714 (C.109)
adran 37	1.4.2004	2004/641 (C.24)	ss.39 to 42	1.4.2005	2005/968 (C.43)
adran 38	1.10.2004 a 1.10.2005	2004/2528 (C.106) a 2005/2714 (C.109)	ss.43 to 47	1.10.2005	2005/2714 (C.109)
adrannau 39 i 42	1.4.2005	2005/968 (C.43)	s.48	1.10.2004 and 1.4.2005	2004/2528 (C.106) and 2005/968 (C.43)
adrannau 43 i 47	1.10.2005	2005/2714 (C.109)	ss.49 and 50	1.10.2004	2004/2528 (C.106)
adran 48	1.10.2004 a 1.4.2005	2004/2528 (C.106) a 2005/968 (C.43)	s.51	1.4.2005	2005/968 (C.43)
adrannau 49 a 50	1.10.2004	2004/2528 (C.106)	s.52	1.4.2006	2005/2714 (C.109)
adran 51	1.4.2005	2005/968 (C.43)	s.53(*)	1.4.2004	2004/641 (C.24)
adran 52	1.4.2006	2005/2714 (C.109)	ss.54 and 55	1.10.2004	2004/2528 (C.106)
adran 53(*)	1.4.2004	2004/641 (C.24)	s.56 and Sch. 4	1.4.2004, 1.8.2005, 1.10.2005 and 1.12.2005	2004/641 (C.24), 2005/968 (C.43) and 2005/2714 (C.109)
adrannau 54 a 55	1.10.2004	2004/2528 (C.106)	s.57	1.4.2004	2004/641 (C.24)
adran 56 ac Atodlen 4	1.4.2004, 1.8.2005, 1.10.2005 a 1.12.2005	2004/641 (C.24), 2005/968 (C.43) a 2005/2714 (C.109)	s.59	1.10.2004	2004/2528 (C.106)
adran 57	1.4.2004	2004/641 (C.24)	ss.60 and 61	1.4.2004	2004/641 (C.24)
adran 59	1.10.2004	2004/2528 (C.106)	s.62	1.10.2004, 1.10.2005, 1.4.2006 and 1.4.2007	2004/2528 (C.106), 2005/2714 (C.109), 2006/984 (C.30) and 2007/1021 (C.42)
adrannau 60 a 61	1.4.2004	2004/641 (C.24)			

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>	<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
adran 26	1.10.2004	2004/2528 (C.106)	s.63	1.10.2004 and 1.10.2005	2004/2528 (C.106) and 2005/2714 (C.109)
adran 27	1.4.2004	2004/641 (C.24)	ss.64 and 65	1.4.2004	2004/641 (C.24)
adrannau 28 a 29	1.10.2004	2004/2528 (C.106)	s.66 <sup>(†)</sup>	1.4.2004	2004/641 (C.24)
adran 30	1.4.2006	2006/984 (C.30)	s.67	1.4.2004	2004/910 (W.93) (C.39)
adran 31	1.10.2004	2004/2528 (C.106)	s.68 <sup>(†)</sup>	1.4.2004	2004/641 (C.24)
adran 33	1.4.2006	2006/984 (C.30)	s.70	1.4.2005	2005/968 (C.43)
adran 34 (yn rhannol)	1.4.2006	2005/2714 (C.109)	s.71	1.4.2004	2004/641 (C.24)
adran 35	1.8.2005, 1.10.2005 a 1.4.2006	2005/968 (C.43) a 2005/2714 (C.109)	s.72	1.4.2004	2004/641 (C.24)
adran 36 ac Atodlen 3 (‡)	1.4.2005 a 1.4.2006	2005/968 (C.43) a 2005/2714 (C.109)	s.74 <sup>(*)</sup>	1.10.2004	2004/2528 (C.106)
adran 37	1.4.2004	2004/641 (C.24)	s.76 <sup>(†)</sup>	1.10.2004	2004/2528 (C.106)
adran 38	1.10.2004 a 1.10.2005	2004/2528 (C.106) a 2005/2714 (C.109)	s.79	1.10.2004	2004/2528 (C.106)
adrannau 39 i 42	1.4.2005	2005/968 (C.43)	ss.82 to 84	1.4.2004	2004/641 (C.24)
adrannau 43 i 47	1.10.2005	2005/2714 (C.109)	s.85 <sup>(*)</sup> and Sch. 5 and 6	1.4.2004	2004/641 (C.24)
adran 48	1.10.2004 a 1.4.2005	2004/2528 (C.106) a 2005/968 (C.43)	s.87	1.10.2004	2004/2528 (C.106)
adrannau 49 a 50	1.10.2004	2004/2528 (C.106)	ss.90 to 97	28.5.2004	2004/641 (C.24)
adran 51	1.4.2005	2005/968 (C.43)	s.98	1.4.2007	2007/1021 (C.42)
adran 52	1.4.2006	2005/2714 (C.109)	s.99	28.5.2004	2004/641 (C.24)
adran 53 <sup>(*)</sup>	1.4.2004	2004/641 (C.24)	s.100	17.3.2004, 1.4.2004, 28.5.2004, 1.10.2004, 1.4.2005, 1.8.2005, 1.10.2005, 1.12.2005, , 1.4.2006 and 1.4.2007	2004/641 (C.24), 2004/2528 (C.106), 2005/968 (C.43), 2005/2714 (C.109), 2006/984 (C.30) and 2007/1021 (C.42)
adrannau 54 a 55	1.10.2004	2004/2528 (C.106)	s.101(1) (partially) and Sch. 7 (partially)	1.4.2004, 1.10.2004, 29.12.2004, 1.4.2005, 1.8.2005, 1.10.2005, 1.4.2006 and 1.4.2007	2004/641 (C.24), 2004/2528 (C.106), 2005/968 (C.43), 2005/2714 (C.109), 2006/984 (C.30) and 2007/1021 (C.42)
adran 56 ac Atodlen 4	1.4.2004, 1.8.2005, 1.10.2005 a 1.12.2005	2004/641 (C.24), 2005/968 (C.43) a 2005/2714 (C.109)			
adran 57	1.4.2004	2004/641 (C.24)			
adran 59	1.10.2004	2004/2528 (C.106)			
adrannau 60 a 61	1.4.2004	2004/641 (C.24)			

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>	<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
adran 101(1) (yn rhannol) ac Atodlen 7 (yn rhannol)	1.4.2004, 1.10.2004, 29.12.2004, 1.4.2005, 1.8.2005, 1.10.2005, 1.4.2006 a 1.4.2007	2004/641 (C.24), 2004/2528 (C.106), 2005/968 (C.43), 2005/2714 (C.109), 2006/984 (C.30) a 2007/1021 (C.42)	s.101(1) and Sch. 8	1.4.2004, 1.10.2004 and 1.12.2005	2004/641 (C.24), 2004/2528 (C.106) and 2005/2714 (C.109)
adran 101(1) ac Atodlen 8	1.4.2004, 1.10.2004 a 1.12.2005	2004/641 (C.24), 2004/2528 (C.106) a 2005/2714 (C.109)	s.101(2) and Sch. 9 (partially)	1.4.2004, 28.5.2004, 1.10.2004, 1.4.2005, 1.10.2005, 1.12.2005 and 1.4.2006	2004/641 (C.24), 2004/2528 (C.106), 2005/968 (C.43), 2005/2714 (C.109) and 2006/984 (C.30)
adran 101(2) ac Atodlen 9 (yn rhannol)	1.4.2004, 28.5.2004, 1.10.2004, 1.4.2005, 1.10.2005, 1.12.2005 a 1.4.2006	2004/641 (C.24), 2004/2528 (C.106), 2005/968 (C.43), 2005/2714 (C.109) a 2006/984 (C.30)			

(\* Mae'r darpariaethau hyn hefyd yn ymestyn yn rhannol i'r Alban (adran 105(9) o'r Ddeddf) a daethpwyd â hwy i rym yn yr Alban drwy'r un Gorchymyn.

(†) Mae'r darpariaethau hyn hefyd yn ymestyn i'r Alban (adran 105(9) o'r Ddeddf) a daethpwyd â hwy i rym yn yr Alban drwy'r un Gorchymyn.

(‡) Mae'r darpariaethau hyn hefyd yn ymestyn i'r Alban a Gogledd Iwerddon (adran 105(8) o'r Ddeddf) a daethpwyd â hwy i rym yn yr Alban ac yng Ngogledd Iwerddon drwy'r un Gorchymyn.

Mae'r darpariaethau a ganlyn o'r Ddeddf wedi eu dwyn i rym o ran Lloegr drwy orchmynion cychwyn a wnaed cyn dyddiad y Gorchymyn hwn:

(\* These provisions also extend partially to Scotland (section 105(9) of the Act) and were brought into force in Scotland by the same Order.

(†) These provisions also extend to Scotland (section 105(9) of the Act) and were brought into force in Scotland by the same Order.

(‡) These provisions also extend to Scotland and Northern Ireland (section 105(8) of the Act) and were brought into force in Scotland and Northern Ireland by the same Order.

The following provisions of the Act have been brought into force in relation to England by commencement orders made before the date of this Order:

<i>Y Ddarpariaeth</i>	<i>Y Dyddiad Cychwyn</i>	<i>Rhif O.S.</i>
adran 58	18.2.2005, 1.8.2008, 25.2.2009 a 26.3.2010	2005/344 (C.12), 2008/1922 (C.87), 2009/359 (C.17) a 2010/975 (C.65)
adran 69	17.3.2004	2004/641 (C.24)
adran 75	1.4.2004	2004/641 (C.24)
adrannau 77 a 78	1.10.2004	2004/2528 (C.106)
adran 80	1.10.2004	2004/2528 (C.106)
adran 81	1.4.2004	2004/641 (C.24)
adran 86	1.10.2004 a 6.4.2012	2004/2528 (C.106) a 2012/264 (C.8)
adran 101(1) ac Atodlen 7 (yn rhannol)	17.3.2004, 1.10.2004 a 1.8.2008	2004/641 (C.24), 2004/2528 (C.106) a 2008/1922 (C.87)
adran 101(2) ac Atodlen 9 (yn rhannol)	17.3.2004, 1.8.2008 a 26.3.2010	2004/641 (C.24), 2008/1922 (C.87) a 2010/975 (C.65)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s. 58	18.2.2005, 1.8.2008, 25.2.2009 and 26.3.2010	2005/344 (C.12), 2008/1922 (C.87), 2009/359 (C.17) and 2010/975 (C.65)
s.69	17.3.2004	2004/641 (C.24)
s.75	1.4.2004	2004/641 (C.24)
ss.77 and 78	1.10.2004	2004/2528 (C.106)
s.80	1.10.2004	2004/2528 (C.106)
s.81	1.4.2004	2004/641 (C.24)
s.86	1.10.2004 and 6.4.2012	2004/2528 (C.106) and 2012/264 (C.8)
s.101(1) and Sch. 7 (partially)	17.3.2004, 1.10.2004 and 1.8.2008	2004/641 (C.24), 2004/2528 (C.106) and 2008/1922 (C.87)
s.101(2) and Sch. 9 (partially)	17.3.2004, 1.8.2008 and 26.3.2010	2004/641 (C.24), 2008/1922 (C.87) and 2010/975 (C.65)

**2017 Rhif (Cy.) (C.)**

**DŴR, CYMRU**

**Gorchymyn Deddf Dŵr 2003  
(Cychwyn Rhif 4) (Cymru) 2017**

*Gwnaed*

*31 Ionawr 2017*

Mae Gweinidogion Cymru drwy arfer y pwerau a roddir gan adran 105(3), (4) a (6) o Ddeddf Dŵr 2003(1) ac a freiniwyd bellach ynddynt hwy(2), yn gwneud y Gorchymyn a ganlyn:

**Enwi a chymhwyso**

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Deddf Dŵr 2003 (Cychwyn Rhif 4) (Cymru) 2017.

(2) Mae'r Gorchymyn hwn yn gymwys o ran Cymru.

**Y diwrnod penodedig**

2. Y diwrnod penodedig ar gyfer dod ag adran 58(8) o Ddeddf Dŵr 2003 i rym, yw'r diwrnod ar ôl y diwrnod y gwneir y Gorchymyn hwn

**2017 No. 88 (W. 32) (C. 9)**

**WATER, WALES**

**The Water Act 2003  
(Commencement No. 4) (Wales)  
Order 2017**

*Made*

*31 January 2017*

The Welsh Ministers, in exercise of the powers conferred by section 105(3), (4) and (6) of the Water Act 2003(1) and now vested in them (2), make the following Order:

**Title and application**

1.—(1) The title of this Order is the Water Act 2003 (Commencement No. 4) (Wales) Order 2017.

(2) This Order applies in relation to Wales.

**Appointed day**

2. The appointed day for the coming into force of section 58(8) of the Water Act 2003 is the day after the day on which this Order is made.

*Lesley Griffiths*

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig, un o Weinidogion Cymru  
31 Ionawr 2017

Cabinet Secretary for Environment and Rural Affairs,  
one of the Welsh Ministers  
31 January 2017

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(1) 2003 p. 37.

(2) Mae swyddogaethau Cynulliad Cenedlaethol Cymru o dan adran 105 o Ddeddf Dŵr 2003 yn arferadwy bellach gan Weinidogion Cymru yn rhinwedd adran 162 o Ddeddf Llywodraeth Cymru 2006 (p. 32) a pharagraff 30 o Atodlen 11 iddi.

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(1) 2003 c. 37.

(2) The functions of the National Assembly for Wales under section 105 of the Water Act 2003 are now exercisable by the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

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OFFERYNNAU STATUDOL  
CYMRU

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WELSH STATUTORY  
INSTRUMENTS

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**2017 Rhif (Cy.) (C.)**

**DŴR, CYMRU**

Gorchymyn Deddf Dŵr 2003  
(Cychwyn Rhif 4) (Cymru) 2017

**2017 No. 88 (W. 32) (C. 9)**

**WATER, WALES**

The Water Act 2003  
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Order 2017

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