WELSH STATUTORY INSTRUMENTS

2004 No. 701 (W.75)

WATER INDUSTRY, ENGLAND AND WALES

The Water Industry (Prescribed Conditions) (Undertakers Wholly or Mainly in Wales) Regulations 2004

Made - - - -	*10th March 2004*
Laid before Parliament	*15th March 2004*
Coming into force - -	*13th April 2004*

The National Assembly for Wales, in exercise of the powers conferred upon the Secretary of State by sections 144A(5)(b), 144B(1)(c) and 213(2) of the Water Industry Act 1991(**1**) and now exercisable by the National Assembly for Wales(**2**), hereby makes the following Regulations:

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Water Industry (Prescribed Conditions) (Undertakers Wholly or Mainly in Wales) Regulations 2004 and come into force on 13 April 2004.

(2) These Regulations apply to any water or sewerage undertaker whose area is wholly or mainly in Wales.

(3) In these Regulations, "the National Assembly" means the National Assembly for Wales.

Prescribed conditions

2. The conditions prescribed under sections 144A(5)(b) (additional conditions in relation to the revocation of a measured charges notice) and 144B(1)(c) (additional conditions in relation to the fixing of charges by reference to volume) of the Water Industry Act 1991 are that—

(a) in the case of premises which are not used solely as a person's home, that other use is not the principal use of the premises;

(b) the water supplied to the premises is not used—

(**1**) 1991 c. 56; sections 144A and 144B were inserted by sections 6 and 7 of the Water Industry Act 1999 (c. 9). See section 219 (1) of the Water Industry Act 1991 for the definition of "prescribed".

(**2**) The functions of the Secretary of State under sections 144A and 144B of the Water Industry Act 1991 are exercisable by the National Assembly for Wales in relation to any water or sewerage undertaker whose area is wholly or mainly in Wales, by virtue of Article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672), as amended by Article 4 of, and Schedule 3 to, the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/253 (W.5)). The functions of the Secretary of State under section 213 of that Act are exercisable by the National Assembly for Wales to the same extent as the powers, duties and other provisions to which that section applies, by virtue of the same provisions of those Orders.