

Scottish Statutory Instrument 2002 No. 118 (C. 6)

The Water Industry (Scotland) Act 2002 (Commencement and Savings) Order 2002

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SCOTTISH STATUTORY INSTRUMENTS

2002 No. 118 (C. 6)

WATER

The Water Industry (Scotland) Act 2002 (Commencement and Savings) Order 2002

Made

7th March 2002

The Scottish Ministers, in the exercise of the powers conferred under sections 68(2) and 72(1) of the Water Industry (Scotland) Act 2002^[1] and of all other powers enabling them in that behalf hereby make the following Order:

Citation and interpretation

1. - (1) This Order may be cited as the Water Industry (Scotland) Act 2002 (Commencement and Savings) Order 2002.

(2) In this Order-

"the 1994 Act" means the Local Government etc (Scotland) Act 1994^[2];

"the Act" means the Water Industry (Scotland) Act 2002; and

"the authorities" means the new water and sewerage authorities.

Commencement of provisions

2. - (1) This article has effect subject to the provisions of article 3 below.

(2) The provisions of the Act which are specified in column 1 of the Schedule to this Order shall come into force on 8th March 2002 but, where a particular purpose in relation to any such provision is specified in column 2 of that Schedule, that provision shall come into force on that day only for that purpose.

(3) The provisions of the Act shall, insofar as not then in force, come into force for all purposes on 1st April 2002.

Savings provision

3. - (1) Notwithstanding the commencement, by article 2(3) above, of paragraph 23(d) of schedule 7 to the Act-

(a) section 84(1) of the 1994 Act shall continue to have effect for the purpose of enabling the Scottish Ministers to make such payments as may be necessary to the authorities to enable them to carry out the duties referred to in sub-paragraph (b) below; and

(b) sections 87 and 88 of the 1994 Act shall continue to have effect for the purpose of enabling the authorities and the Scottish Ministers to carry out the duties imposed by those sections in respect of the financial year ending with 31st March 2002.

(2) Paragraph (1) above is without prejudice to paragraph 13 of Schedule 1 to the Scotland Act 1998 (Transitory and Transitional Provisions) (Publication and Interpretation etc. of Acts of the Scottish Parliament) Order 1999[3].

ROSS FINNIE

A member of the Scottish Executive

St Andrew's House, Edinburgh
7th March 2002

SCHEDULE

Article 2(2)

PROVISIONS OF THE ACT COMING INTO FORCE ON 8TH MARCH 2002

<i>Column 1</i>	<i>Column 2</i>
<i>Provisions of the Act</i>	<i>Purpose</i>
Section 20	
Section 56	Only for the purpose of enabling consultation in accordance with subsection (4) of that section.

Schedule 3	
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EXPLANATORY NOTE

(This note is not part of the Order)

This Order commences the Water Industry (Scotland) Act 2002 (asp 3). Section 20, which brings Scottish Water into being and certain other provisions are commenced, for limited purposes on 8th March 2002. The remaining provisions, including those under which Water Customer Consultation Panels may be established (section 2) and the Drinking Water Quality Regulator for Scotland may be appointed (section 7) are commenced for all purposes on 1st April 2002.

Notes:

[1] 2002 asp 3.[back](#)

[2] 1994 c.39; section 88 was amended by paragraph 12(2) of schedule 4 to the Public Finance and Accountability (Scotland) Act 2000 asp 1.[back](#)

[3] S.I. 1999/1379.[back](#)

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