

Explanatory Memorandum to the Private Water Supplies (Amendment) (Wales) Regulations 2010.

This explanatory memorandum has been prepared by the Department of Environment, Sustainability and Housing and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 24.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Private Water Supplies (Amendment) (Wales) Regulations 2010

Jane Davidson

Minister for Environment, Sustainability and Housing

26 January 2010

1. Description

This instrument corrects drafting errors made in the original Private Water Supplies (Wales) Regulations 2010 (S.I. 2010/66 (W.16)).

2. Matters of special interest to the Subordinate Legislation Committee

This submission is required to support the publication of Regulations (S.I. 2010/66 (W.16)) which corrects a drafting error in the text of the original Regulations that were highlighted by the Subordinate Legislation Committee and reported under Standing Order 15.2.

3. Legislative background

These Regulations are made using the powers of the Welsh Ministers under Sections 67, 77(3) & (4) and 213 of the Water Industry Act 1991 and under section 2(2) of the European Communities Act 1972, which include provision for the Welsh Ministers to make regulations in a number of areas and follows the negative resolution procedure.

4. Purpose & intended effect of the legislation

The original Regulations transposed the European Directive 98/83/EC on the quality of water intended for human consumption ("the Drinking Water Directive") in respect of private water supplies in Wales.

Regulation 13 brings into effect Schedule 4, which sets out the requirements on local authorities to prepare initial records. The date that the local authorities need to comply with was missing from paragraph 1 of the Schedule 4 although it is contained in Regulation 13.

5. Consultation

Consultation not required as the minor changes required will not affect stakeholders.

6. Regulatory Impact Assessment (RIA)

A Regulatory Impact Assessment (RIA) has not been prepared as the amendment referred to has no impact on the costs of businesses. An RIA has been prepared for the original Regulations.