STATUTORY INSTRUMENTS

2025 No. 726 (C. 32)

WATER INDUSTRY, ENGLAND AND WALES

The Water (Special Measures) Act 2025 (Commencement No. 1) Regulations 2025

Made - - - - 19th June 2025

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 17(3)(a) and (c) of the Water (Special Measures) Act 2025(**a**).

Citation

1. These Regulations may be cited as the Water (Special Measures) Act 2025 (Commencement No. 1) Regulations 2025.

Provisions coming into force on 23rd June 2025

2. The following provisions of the Water (Special Measures) Act 2025 come into force on 23rd June 2025—

(a) section 3 (pollution incident reduction plans), so far as relating to undertakers whose areas are wholly or mainly in England;

(b) section 5 (nature-based solutions), so far as relating to undertakers whose areas are wholly or mainly in England.

Emma Hardy
Parliamentary Under Secretary of State
19th June 2025 Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the first commencement regulations made under the Water (Special Measures) Act 2025 ("the 2025 Act").

Regulation 2 brings into force on 23rd June 2025 sections 3 and 5 of the 2025 Act so far as relating to undertakers whose areas are wholly or mainly in England. Section 3 inserts sections 205A, 205B and 205C into the Water Industry Act 1991 (c. 56) ("the 1991 Act"). Section 205A

(**a**) 2025 c. 5.

requires sewerage and water supply undertakers to prepare and publish an annual pollution incident reduction plan by 1st April each year and establishes the matters that the plans must address. Section 205B requires undertakers to publish an implementation report alongside the pollution incident reduction plan each year (except for the first pollution incident reduction plan) and sets out what the report must contain. Section 205C provides for the enforcement of duties relating to pollution incident reduction plans under sections 205A and 205B and sanctions for failure to comply with those duties.

Section 5 amends section 94A(3) of the 1991 Act to insert a new paragraph (ea). The effect of this amendment is to require sewerage undertakers to address, in their drainage and sewerage management plans, the use that is to be made of nature-based solutions, technologies and facilities within their drainage and sewerage systems.

A full impact assessment has not been prepared for this instrument as the Regulations themselves have no impact on the private, voluntary or public sector. A full impact assessment has been published in relation to the 2025 Act and copies can be obtained from the website of the Department for Environment, Food and Rural Affairs at www.gov.uk/defra or from the Department for Environment, Food and Rural Affairs at 2 Marsham Street, London, SW1P 4DF, United Kingdom.

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