STATUTORY INSTRUMENTS

1973 No. 1345

WATER SUPPLY, ENGLAND AND WALES
The Welsh National Water Development Authority (Establishment and Constitution) Order 1973

Laid before Parliament in draft

Made - - - -	26*th July* 1973
Coming into Operation	1*st August* 1973

Whereas a draft of the following order was laid before Parliament and approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State for Wales and the Minister of Agriculture, Fisheries and Food, acting jointly, in exercise of the powers conferred upon them by sections 2(4) and (6) and 3(10) of the Water Act 1973**(a)** and of all other powers enabling them in that behalf, hereby order as follows:—

Citation and commencement

1. This order may be cited as the Welsh National Water Development Authority (Establishment and Constitution) Order 1973 and shall come into operation on 1st August 1973.

Interpretation

2.—(1) In this order, unless the context otherwise requires—

"the Act" means the Water Act 1973;

"the 1933 Act" means the Local Government Act 1933**(b)**;

"the 1945 Act" means the Water Act 1945**(c)**;

"the 1972 Act" means the Local Government Act 1972**(d)**;

"county", "district", "county council" and "district council" mean respectively a county, district, county council and district council established by the 1972 Act;

"existing statutory water undertakers" means statutory water undertakers within the meaning of the 1945 Act which are in existence at the date of the making of this order;

"the general Welsh authority area" has the meaning assigned to it in article 3(1);

"the Minister" means the Minister of Agriculture, Fisheries and Food;

"the Welsh authority" means the Welsh National Water Development Authority.

(a) 1973 c. 37.
(b) 1933 c. 51.
(c) 1945 c. 42.
(d) 1972 c. 70.

(2) An article or Schedule referred to only by a number in this order means the article or Schedule so numbered in this order.

(3) The Interpretation Act 1889**(a)** shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(4) Unless the context otherwise requires, any reference in this order to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

Establishment and general area of the Welsh National Water Development Authority

3.—(1) There shall be established a water authority which shall be known as the Welsh National Water Development Authority for the area assigned to the Welsh authority by virtue of section 2(2) of the Act, that is to say the area comprising the existing areas of the Dee and Clwyd, Glamorgan, Gwynedd, South West Wales, Usk and Wye River Authorities and in this order "the general Welsh authority area" means the area so assigned.

(2) The Welsh authority shall come into existence on 6th August 1973.

(3) For the purposes of this order, and without prejudice to paragraphs 2 to 5 of Schedule 2 to the Act, the seaward boundaries of the area of any river authority mentioned in column (1) of Schedule 1 shall be taken as being the seaward boundaries having effect by virtue of the instrument specified in relation to that authority in column (2) of the said Schedule 1.

(4) Where the Welsh authority perform any of their functions in any area which lies outside the general Welsh authority area and within the area assigned to a regional water authority by virtue of section 2(2) of, and Schedule 1 to the Act, they shall perform those functions in consultation with that authority.

Constitution of the Welsh authority

4.—(1) The Welsh authority shall until 31st May 1977 consist of a chairman appointed by the Secretary of State and thirty four members, that is to say:—

(*a*) ten members appointed by the Secretary of State who shall be persons who appear to him to have had experience of, and shown capacity in, some matter relevant to the functions of water authorities;

(*b*) four members appointed jointly by the Minister and the Secretary of State who shall be persons who appear to them to have had experience of, and shown capacity in, agriculture, land drainage or fisheries;

(*c*) one member appointed by each of the councils of the counties specified in Schedule 2; and

(*d*) one member in respect of each of the counties specified in the said Schedule appointed between them by the councils of the districts within each respective county.

(2) In appointing the members of the Welsh authority the Minister or Ministers or council concerned shall have regard to the desirability of members of the authority being familiar with the requirements and circumstances of the authority's area.

(a) 1889 c. 63.

Term of office of members

5. The year specified for the purposes of paragraph 4(2) of Schedule 3 to the Act (which provides that the first members to whom that paragraph applies shall hold office until the end of May in such year as may be specified for the purposes of that paragraph) is the year 1977 in the case of a member appointed by the council of a county and the year 1975 in the case of a member appointed by the councils of districts.

Water supply

6. The area within which it shall be the duty of the Welsh authority to supply water under Part II of the Act shall be the area comprising the limits of supply of the existing statutory water undertakers named in Schedule 3.

SCHEDULE 1 Article 3

(1) River Authority	(2) Instrument
South West Wales River Authority	The South West Wales River Authority (Seaward Boundaries of Area) Order 1964**(a)**
Usk River Authority	The Usk River Authority (Seaward Boundaries of Area) Order 1964**(b)**
Wye River Authority	The Wye River Authority (Seaward Boundaries of Area) Order 1964**(c)**
Glamorgan River Authority	The Glamorgan River Authority (Seaward Boundaries of Area) Order 1964**(d)**
Gwynedd River Authority	The Gwynedd River Authority (Seaward Boundaries of Area) Order 1964**(e)**
Dee and Clwyd River Authority	The Dee and Clwyd River Authority (Seaward Boundaries of Area) Order 1965**(f)**

SCHEDULE 2 Article 4

The County of Clwyd
The County of Dyfed
The County of Gwent
The County of Gwynedd
The County of Mid Glamorgan
The County of Powys
The County of South Glamorgan
The County of West Glamorgan
The County of Hereford and Worcester
The County of Cheshire

(a) S.I. 1964/1496.
(b) S.I. 1964/1498.
(c) S.I. 1964/1500.
(d) S.I. 1964/1505.
(e) S.I. 1964/1507.
(f) S.I. 1965/322.

Article 6 SCHEDULE 3

Anglesey County Council
Cardiff County Borough Council
Carmarthen Borough Council
Carmarthen Rural District Council
Ceiriog Rural District Council (so much as lies within the catchment area of the River Dee)
Cwmamman Urban District Council
Llandeilo Urban District Council
Llandeilo Rural District Council
Llandovery Borough Council
Maelor Rural District Council
Wrexham Rural District Council

Bwrdd Dwr Eryri
Cardiganshire Water Board
Central Flintshire Water Board
Conway Valley Water Board
Gwent Water Board
Herefordshire Water Board
Llanelli and District Water Board
Loughor Joint Water Board
Merioneth Water Board
Mid-Glamorgan Water Board
Pembrokeshire Water Board
Radnorshire and North Breconshire Water Board
South-East Breconshire Water Board
Taf Fechan Water Board
West Denbighshire and West Flintshire Water Board
West Glamorgan Water Board

Chester Waterworks Company
Wrexham and East Denbighshire Water Company

Peter Thomas,
Secretary of State for Wales.

26th July 1973.

In Witness whereof the Official Seal of the Minister of Agricultute, Fisheries and Food is hereunto affixed on 26th July 1973.

(L.S.)

Joseph Godber,
Minister of Agriculture, Fisheries and Food.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Water Act 1973 requires the Secretary of State and the Minister of Agriculture, Fisheries and Food by order to establish regional water authorities and also an authority to be known as the Welsh National Water Development Authority for the areas specified in the Act. The Act also requires that the Order establishing the Welsh authority shall prescribe its constitution. This Order accordingly establishes the Welsh authority which will consist of 35 members appointed as follows:—

(*a*) a chairman appointed by the Secretary of State;

(*b*) 10 members appointed by the Secretary of State;

(*c*) 4 members appointed jointly by the Minister of Agriculture, Fisheries and Food and the Secretary of State;

(*d*) 10 members of whom one will be appointed by each of the county councils of the counties specified in Schedule 2 to the Order;

(*e*) 10 members of whom one will be appointed in respect of each of the counties specified in Schedule 2 to the Order by the district councils within each respective county.

The first members to be appointed by county councils will hold office until the end of May 1977 and those appointed by district councils until the end of May 1975; otherwise the terms of office of the chairman and members will be governed by paragraphs 3 and 4 of Schedule 3 to the Act.

The Welsh National Water Development Authority will come into existence on 6th August 1973.

Except in so far as the Order specifies a particular area for the exercise of particular functions of the authority, the Act requires the authority to exercise their functions as respects the area specified as their area in section 2 of the Act, namely the areas of the Dee and Clwyd, Glamorgan, Gwynedd, South West Wales, Usk and Wye River Authorities.

The Order specifies a particular area for the exercise of the authority's functions relating to water supply (Article 6).

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