
Status: This is the original version (as it was originally enacted).

SCHEDULE 6

(introduced by section 71)

MODIFICATIONS OF WATER (SCOTLAND) ACT 1980

- 1 The Water (Scotland) Act 1980 (c. 45) is amended as follows.
- 2 In section 1 (general duties of Scottish Ministers and of water authorities), for “the water authorities” substitute “Scottish Water”.
- 3 (1) Section 6 (duty of authority to provide supply) is amended as follows.
 - (2) In subsection (1)—
 - (a) for “every water authority” substitute “Scottish Water”,
 - (b) for “their” substitute “its”.
 - (3) In subsection (2)—
 - (a) for “every water authority” substitute “Scottish Water”,
 - (b) for “their” in both places where it occurs substitute “its”,
 - (c) for “a water authority” substitute “Scottish Water”.
 - (4) In subsection (3)—
 - (a) for “the water authority concerned” substitute “Scottish Water”,
 - (b) for “the authority” substitute “Scottish Water”.
 - (5) In subsection (4)—
 - (a) for “Every water authority” substitute “Scottish Water”,
 - (b) for “them” in each place where it occurs substitute “it”,
 - (c) for “they think” substitute “it thinks”,
 - (d) for “they consider” substitute “it considers”,
 - (e) for “their” substitute “its”.
- 4 In section 8 (water supplied for domestic purposes to be wholesome)—
 - (a) for “Every water authority” substitute “Scottish Water”,
 - (b) for “their” in both places where it occurs substitute “its”.
- 5 (1) Section 9 (supply of water for non-domestic purposes) is amended as follows.
 - (2) In subsection (1)—
 - (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “their” substitute “its”,
 - (c) for “them” substitute “it”.
 - (3) In subsection (2)—
 - (a) for “A water authority” substitute “Scottish Water”,
 - (b) for “their” substitute “its”.
 - (4) In subsection (3)—
 - (a) for “The water authority” substitute “Scottish Water”,
 - (b) for “them” substitute “it”,
 - (c) for “the authority” in both places where the expression occurs substitute “Scottish Water”.
 - (5) In subsection (4), for “the authority are” substitute “Scottish Water is”.

Status: This is the original version (as it was originally enacted).

- (6) In subsection (5)—
- (a) for “a water authority are” substitute “Scottish Water is”,
 - (b) for “the authority” substitute “Scottish Water”,
 - (c) for “them” substitute “it”.
- 6 In section 9A (no charge for supply of water for extinguishing fires etc.), for “a water authority” substitute “Scottish Water”.
- 7 In section 10 (compensation for damage resulting from exercise of powers)—
- (a) in subsection (1)—
 - (i) for “water authority” substitute “Scottish Water”,
 - (ii) after “them” insert “or it”,
 - (iii) after “their” insert “or its”,
 - (b) in subsection (1A)—
 - (i) for “a water authority's” substitute “Scottish Water's”,
 - (ii) for “them” substitute “it”.
- 8 (1) Section 11 (power of Scottish Ministers on default of authority) is amended as follows.
- (2) In subsection (1)—
- (a) for “a water authority have” substitute “Scottish Water has”,
 - (b) for “they are” substitute “it is”,
 - (c) for “their limits of supply, or have” substitute “its limits of supply, or has”,
 - (d) for “they have” substitute “it has”,
 - (e) for “their” in the second place where it occurs substitute “its”,
 - (f) for “any authority have” substitute “Scottish Water has”.
- (3) In subsection (2)—
- (a) for “the authority in question” substitute “Scottish Water”,
 - (b) for “them” in both places where it occurs substitute “it”,
 - (c) for “their” in both places where it occurs substitute “its”.
- (4) In subsection (3)—
- (a) for the words from “the authority” to “fail” substitute “Scottish Water fails”,
 - (b) for “that order” substitute “an order made under subsection (2)”,
 - (c) paragraph (a) and the following “and” are repealed.
- (5) Subsections (4) to (7) are repealed.
- 9 Section 12 (supply of water to premises outwith limits of supply) is repealed.
- 10 (1) Section 13 (supply of water in bulk) is amended as follows.
- (2) In subsection (1)—
- (a) for “A water authority” substitute “Scottish Water”,
 - (b) the words “whether a water authority or not” are repealed,
 - (c) for “the authority” substitute “Scottish Water”,
 - (d) the words from “and, where” to the end are repealed.
- (3) Subsection (2) is repealed.
- (4) In subsection (3)—

Status: This is the original version (as it was originally enacted).

- (a) the words “or order” are repealed,
 - (b) for “a water authority” substitute “Scottish Water”,
 - (c) the words “either within or outside their limits of supply” are repealed,
 - (d) for “them” substitute “it”.
- (5) Subsections (4) and (5) are repealed.
- (6) In subsection (6), for “a water authority” substitute “Scottish Water”.
- 11 In section 13A (supply of water for use outwith Scotland)—
- (a) in subsection (1)—
 - (i) for “A water authority” substitute “Scottish Water”,
 - (ii) for “they are” substitute “it is”,
 - (iii) for “them” in both places where it occurs substitute “it”,
 - (iv) for “their” substitute “its”,
 - (v) for “they think” substitute “it thinks”,
 - (b) in subsection (2)—
 - (i) for “a water authority” substitute “Scottish Water”,
 - (ii) the words “either within or outwith their limits of supply” are repealed,
 - (iii) for “them” substitute “it”.
- 12 In section 14 (power of water authority to give guarantee for supply of water)—
- (a) for “A water authority” substitute “Scottish Water”,
 - (b) for “the authority” substitute “Scottish Water”.
- 13 (1) Section 16 (powers of survey and search for water on land) is amended as follows.
- (2) For subsection (1) substitute—
- “(1) The Scottish Ministers may, on application made to them by Scottish Water, authorise it to survey, in accordance with this section—
- (a) any land which it proposes to acquire for the purposes of its water undertaking or proposed water undertaking; or
 - (b) any land in, on or over which it is proposed to lay a water main.”
- (3) In subsection (2), for “the authority” substitute “Scottish Water”.
- (4) In subsection (3)—
- (a) for “an authority are” substitute “Scottish Water is”,
 - (b) for “the authority” substitute “Scottish Water”.
- (5) In subsection (8)—
- (a) for “the authority on whose behalf the works were carried out” substitute “Scottish Water”,
 - (b) for “they” substitute “it”.
- 14 (1) Section 17 (acquisition of water rights) is amended as follows.
- (2) In subsection (1), for “A water authority” substitute “Scottish Water”.
- (3) In subsection (2)—
- (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “them” substitute “it”,

Status: This is the original version (as it was originally enacted).

- (c) for “the authority” substitute “Scottish Water”.
- (4) In subsection (3)—
- (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “the authority” in both places where the expression occurs substitute “Scottish Water”,
 - (c) in subsection (4), for “a water authority” substitute “Scottish Water”.
- 15 In section 18(1) (compulsory acquisition of land for water works)—
- (a) for “an authority to which that section applies” substitute “Scottish Water”,
 - (b) for “an authority” in the second place where the expression occurs substitute “Scottish Water”,
 - (c) for “section 99 of the Local Government etc. (Scotland) Act 1994” substitute “section 47 of the Water Industry (Scotland) Act 2002 (asp 3)”.
- 16 In section 21 (power to carry out works)—
- (a) for “they” substitute “it”,
 - (b) for “a water authority” in the first place where the expression occurs substitute “Scottish Water”,
 - (c) in paragraph (b), the words “other than a water authority” are repealed,
 - (d) in paragraph (c), for “the authority” substitute “Scottish Water”,
 - (e) in paragraph (e)—
 - (i) for “them” substitute “it”,
 - (ii) for “their” substitute “its”.
- 17 In section 22 (power to break open roads)—
- (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “they are” substitute “it is”.
- 18 (1) Section 23 (power to lay mains etc.) is amended as follows.
- (2) In subsection (1)—
- (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “their” substitute “its”.
- (3) After subsection (1) insert—
- “(1ZA) Section 192 of the Local Government (Scotland) Act 1973 (c. 65) (service of notices) shall apply to notices served by Scottish Water under subsection (1) above relating to land as it applies to notices served by a local authority relating to premises.”
- (4) In subsection (1A)—
- (a) for “the water authority” substitute “Scottish Water”,
 - (b) for “the authority” substitute “Scottish Water”.
- (5) In subsection (2)—
- (a) for “an authority” substitute “Scottish Water”,
 - (b) for “their” substitute “its”,
 - (c) for “they” substitute “it”.
- (6) In subsection (3)—
- (a) for “A water authority” substitute “Scottish Water”,

Status: This is the original version (as it was originally enacted).

- (b) for “their” substitute “its”.
- 19 (1) Section 24A (keeping of map showing water mains etc.) is amended as follows.
- (2) In subsection (1)—
- (a) for “A water authority” substitute “Scottish Water”,
 - (b) for “their” substitute “its”,
 - (c) for “them” substitute “it”,
 - (d) for “Part II of the Local Government etc. (Scotland) Act 1994” substitute “the Water Industry (Scotland) Act 2002 (asp 3)”,
 - (e) for “the authority” in both places where the expression occurs substitute “Scottish Water”.
- (3) In subsection (2)—
- (a) for “A water authority” substitute “Scottish Water”,
 - (b) for “their” in each place where it occurs substitute “its”,
 - (c) for “they consider” substitute “it considers”,
 - (d) for “the authority” substitute “Scottish Water”,
 - (e) for “they do” substitute “it does”.
- (4) In subsection (3), for “the water authority” substitute “Scottish Water”.
- 20 In section 25(1) (power of authority to provide public wells)—
- (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “their” in the second place where it occurs substitute “its”.
- 21 In section 26 (power to close, or restrict use of, wells)—
- (a) for “or a water authority are” substitute “are or Scottish Water is”,
 - (b) in paragraph (a)—
 - (i) for “their” in the second place where it occurs substitute “its”,
 - (ii) after “them” insert “or, as the case may be, it”,
 - (iii) after “they” insert “or, as the case may be, it”.
- 22 In section 28 (water works code)—
- (a) in subsection (1), for “a water authority” substitute “Scottish Water”,
 - (b) in subsection (2), for “the water authority” substitute “Scottish Water”.
- 23 In section 29 (applications of enactments by order)—
- (a) in subsection (1), the words “13 or” are repealed,
 - (b) in subsection (2), for “any water authority” substitute “Scottish Water”,
 - (c) in subsection (3), for “the authority concerned” substitute “Scottish Water”.
- 24 In section 31(1) (consultation with authorities in England)—
- (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “that water authority” substitute “Scottish Water”,
 - (c) for “the water authority” substitute “Scottish Water”,
 - (d) for “they consider” substitute “it considers”.
- 25 In section 32(1) (power of water undertakers to supply water to water authorities), for “a water authority” in both places where the expression occurs substitute “Scottish Water”.
- 26 (1) Section 33 (temporary discharge of water into watercourses) is amended as follows.

Status: This is the original version (as it was originally enacted).

- (2) In subsection (1)—
- (a) for the words “a water authority who are carrying out or are” substitute “where Scottish Water is carrying out or is”,
 - (b) for “their” in the first place where it occurs substitute “its”,
 - (c) after “undertaking” insert “, it”,
 - (d) the words “whether within or outside their limits of supply” are repealed,
 - (e) for “the authority” substitute “Scottish Water”.
- (3) In subsection (3)—
- (a) for “the water authority” in both places where the expression occurs substitute “Scottish Water”,
 - (b) for “their” substitute “its”,
 - (c) for “them” substitute “it”.
- (4) In subsection (4)—
- (a) for “the authority propose” substitute “Scottish Water proposes”,
 - (b) for “them” in each place where it occurs substitute “it”.
- (5) In subsection (6)(b), for “the authority” substitute “Scottish Water”.
- (6) In subsection (7)—
- (a) for “the authority are” substitute “Scottish Water is”,
 - (b) for “the authority” in the second and third places where the expression occurs substitute “Scottish Water”,
 - (c) for “them” substitute “it”,
 - (d) for “they are” substitute “it is”.
- (7) In subsection (8)—
- (a) for “the authority discharge” substitute “Scottish Water discharges”,
 - (b) for “they” substitute “it”.
- (8) In subsection (9)—
- (a) for “The authority” substitute “Scottish Water”,
 - (b) for “them” substitute “it”.
- (9) In subsection (11), for “the authority” substitute “Scottish Water”.
- 27 In section 34 (persons supplying water to supply to authority)—
- (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “that authority” substitute “Scottish Water”,
 - (c) for “they” where it first occurs substitute “it”,
 - (d) for “the authority” substitute “Scottish Water”.
- 28 In section 35 (power to supply water fittings)—
- (a) in subsection (1)—
 - (i) for “A water authority” substitute “Scottish Water”,
 - (ii) for “they supply or propose” substitute “it supplies or proposes”,
 - (iii) for “their” substitute “its”,
 - (iv) for “them” substitute “it”,
 - (v) for “The authority” substitute “Scottish Water”,

Status: This is the original version (as it was originally enacted).

- (b) in subsection (2), for “the authority” in each place where the expression occurs substitute “Scottish Water”,
 - (c) in subsection (5)—
 - (i) for “the authority” in both places where the expression occurs substitute “Scottish Water”,
 - (ii) for “the water authority” substitute “Scottish Water”.
- 29 In section 36 (power to execute work on behalf of owner or occupier), for “A water authority” substitute “Scottish Water”.
- 30 In section 38(1) (entry of premises)—
- (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “the authority” in each place where the expression occurs substitute “Scottish Water”,
 - (c) for paragraph (a) substitute—
 - “(aa) where the conditions set out in subsection (2) of section 24B are satisfied in relation to the premises, for the purpose of carrying out any survey or tests to determine—
 - (i) whether the carrying out of any works by virtue of paragraph (a) or (b) of subsection (4) of that section is practicable,
 - (ii) whether it is necessary or expedient for any purpose connected with the carrying out of any works by virtue of either of those paragraphs for any other works to be carried out, or
 - (iii) how any works specified in that subsection should be carried out;
 - (ab) for the purpose of inspecting, examining or testing—
 - (i) any meter which is on the premises and which is used by Scottish Water for measuring the quantity of water supplied, or
 - (ii) any pipes or apparatus installed in the course of any works which were carried out for any purpose which is connected with the installation, connection, testing, maintenance or repair of any such meter;
 - (ac) for the purpose of ascertaining from any such meter the quantity of water supplied to the premises;”.
- 31 In section 41A (supply of water by meter)—
- (a) in paragraph (a), for “the authority” substitute “Scottish Water”,
 - (b) in paragraph (b), for “the water authority” substitute “Scottish Water”.
- 32 (1) Section 50 (power to require supply by meter) is amended as follows.
- (2) The existing provision becomes subsection (1).
 - (3) In that subsection—
 - (a) for “A water authority” substitute “Scottish Water”,
 - (b) the word “or” following paragraph (c) is repealed.
 - (4) At the end of that subsection insert “; or

Status: This is the original version (as it was originally enacted).

- (e) any other premises specified, or of a description specified, in an order made by the Scottish Ministers.
- (2) Before making an order under subsection (1)(e) the Scottish Ministers shall consult such persons as they think fit.
- (3) The power to make such an order shall be exercisable by statutory instrument; and a statutory instrument containing such an order shall be subject to annulment in pursuance of a resolution of the Scottish Parliament.”
- 33 In section 51 (power to require supplies for refrigerating apparatus etc. to be taken by meter)—
 - (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “the authority” substitute “Scottish Water”.
- 34 In section 52 (power to require supply for hose pipe to be taken by meter)—
 - (a) for “a water authority supply” substitute “Scottish Water supplies”,
 - (b) for “the authority” substitute “Scottish Water”.
- 35 In section 53(1) (provision as to supply to tents, vans, sheds, etc.)—
 - (a) for “a water authority” substitute “Scottish Water”,
 - (b) in paragraph (a)—
 - (i) for “the authority” substitute “Scottish Water”,
 - (ii) for “them” in each place where it occurs substitute “it”,
 - (c) in paragraph (b), for “the authority” substitute “Scottish Water”.
- 36 In section 54 (register of meter to be evidence)—
 - (a) in subsection (1), for “a water authority supply” substitute “Scottish Water supplies”,
 - (b) in subsection (3), for “the authority” in both places where the expression occurs substitute “Scottish Water”.
- 37 (1) Section 55 (charges for water supplied by meter) is amended as follows.
 - (2) In subsection (1)—
 - (a) for “Every water authority” substitute “Scottish Water”,
 - (b) for “they are” substitute “it is”,
 - (c) for “the authority” substitute “Scottish Water”.
 - (3) In subsection (2)—
 - (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “them” substitute “it”.
 - (4) Subsections (3) and (4) are repealed.
- 38 In section 56 (provision as to supply of water to agricultural subjects)—
 - (a) in subsection (1)—
 - (i) for “the water authority” substitute “Scottish Water”,
 - (ii) for “they” substitute “it”,
 - (iii) for “their” substitute “its”,
 - (b) in subsection (2)—
 - (i) for “a water authority supply” substitute “Scottish Water supplies”,

Status: This is the original version (as it was originally enacted).

- (ii) for “supply” in the second place where it occurs substitute “supplies”,
 - (iii) for “the authority” substitute “Scottish Water”.
- 39 (1) Section 58 (termination of right to supply of water on special terms) is amended as follows.
 - (2) In subsection (1)—
 - (a) for “a water authority are” substitute “Scottish Water is”,
 - (b) for “the authority” substitute “Scottish Water”.
 - (3) In subsection (2), for “the water authority” substitute “Scottish Water”.
 - (4) In subsection (4)—
 - (a) for “any water authority” substitute “Scottish Water”,
 - (b) the words “or a water authority” are repealed.
 - (5) In subsection (5), for “The water authority” substitute “Scottish Water”.
 - (6) Subsection (6) is repealed.
 - (7) In subsection (7), for “a water authority” substitute “Scottish Water”.
- 40 In section 59 (limitation of liability of water authority to supply water on special terms), for “a water authority” substitute “Scottish Water”.
- 41 In section 63 (provision of water supply for new buildings and houses)—
 - (a) in subsection (1A), for the words from “the water” to the end substitute “Scottish Water”,
 - (b) in subsection (2)—
 - (i) for “the water authority” substitute “Scottish Water”,
 - (ii) for “the authority” substitute “Scottish Water”,
 - (iii) for “their” substitute “its”.
- 42 In section 68(1) (agreements as to drainage)—
 - (a) for “A water authority” substitute “Scottish Water”,
 - (b) for “the authority consider” substitute “Scottish Water considers”,
 - (c) for “they are” substitute “it is”,
 - (d) for “the authority” substitute “Scottish Water”.
- 43 In section 69 (power to restrict use of hose pipes)—
 - (a) in subsection (1)—
 - (i) for “a water authority are” substitute “Scottish Water is”,
 - (ii) for “them” in both places where it occurs substitute “it”,
 - (iii) for “they” in the first place where it occurs substitute “it”,
 - (iv) for “they think” substitute “it thinks”,
 - (v) for “their” substitute “its”,
 - (b) in subsection (2)—
 - (i) for “The authority” substitute “Scottish Water”,
 - (ii) for “the authority” substitute “it”.
- 44 (1) Section 70 (byelaws for preventing misuse of water) is amended as follows.
 - (2) In subsection (1)—

Status: This is the original version (as it was originally enacted).

- (a) for “A water authority” substitute “Scottish Water”,
 - (b) for “them” substitute “it”.
- (3) In subsection (2)—
- (a) for “the authority” substitute “Scottish Water”,
 - (b) for “them” substitute “it”.
- (4) In subsection (3), for “the authority” substitute “Scottish Water”.
- (5) In subsection (4)—
- (a) for “a water authority consider” substitute “Scottish Water considers”,
 - (b) for “them” substitute “it”,
 - (c) for “they” substitute “it”,
 - (d) for “the authority” substitute “Scottish Water”.
- 45 (1) Section 71 (byelaws for preventing pollution of water) is amended as follows.
- (2) In subsection (1)—
- (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “them” substitute “it”,
 - (c) for “they are” substitute “it is”,
 - (d) for “they” in the second place where it occurs substitute “it”,
 - (e) for “they deem” substitute “it deems”.
- (3) In subsection (2)—
- (a) for “the water authority” substitute “Scottish Water”,
 - (b) for “they consider” substitute “it considers”,
 - (c) for “their” substitute “its”.
- (4) In subsection (3)—
- (a) for “The water authority” substitute “Scottish Water”,
 - (b) for “the local authority” in both places where that expression occurs substitute “Scottish Water”.
- (5) In subsection (4)—
- (a) for “the local authority” in both places where that expression occurs substitute “Scottish Water”,
 - (b) for “them” substitute “it”.
- (6) Subsection (5) is repealed.
- (7) In subsection (6), for “the authorities” substitute “Scottish Water”.
- 46 In section 72(2) (general provision as to byelaws)—
- (a) for the words from “a water” to “those” in the first place where it occurs substitute “Scottish Water to enforce such”,
 - (b) for “the authority” substitute “Scottish Water”.
- 47 In section 73 (power of Scottish Ministers to require the making of byelaws)—
- (a) in subsection (1)—
 - (i) for “a water authority” substitute “Scottish Water”,
 - (ii) for “the authority do” substitute “Scottish Water does”,
 - (b) in subsection (2)—

Status: This is the original version (as it was originally enacted).

- (i) for “an authority” in both places where the expression occurs substitute “Scottish Water”,
 - (ii) for “the authority” in the first place where the expression occurs substitute “Scottish Water”,
 - (iii) for “the authority do” substitute “Scottish Water does”,
 - (c) in subsection (3), for “the authority concerned” substitute “Scottish Water”.
- 48 (1) Section 76 (acquisition of land for protection of water) is amended as follows.
- (2) In subsection (1)—
 - (a) for the words “Local Government etc. (Scotland) Act 1994” substitute “Water Industry (Scotland) Act 2002 (asp 3)”,
 - (b) for “a water authority” substitute “Scottish Water”,
 - (c) for “their” substitute “its”,
 - (d) for “the authority” substitute “Scottish Water”,
 - (e) for “they are” substitute “it is”.
 - (3) In subsection (2)—
 - (a) for “A water authority” substitute “Scottish Water”,
 - (b) for “them” substitute “it”,
 - (c) for “they have” substitute “it has”,
 - (d) for “the authority” in each place where the expression occurs substitute “Scottish Water”,
 - (e) for “they are” substitute “it is”.
 - (4) In subsection (3)—
 - (a) for “A water authority proposing” substitute “Where Scottish Water proposes”,
 - (b) after “(2)” insert “it”,
 - (c) the words “whether within or outside their limits of supply” are repealed,
 - (d) for “the authority” substitute “Scottish Water”,
 - (e) for “any authority” substitute “Scottish Water”,
 - (f) for “that authority” substitute “Scottish Water”.
- 49 (1) Section 76A (duties of water authorities with respect to water quality) is amended as follows.
- (2) In subsection (1)—
 - (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “that authority” substitute “Scottish Water”.
 - (3) In subsection (2)—
 - (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “the authority's” substitute “Scottish Water's”.
 - (4) In subsection (3)—
 - (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “the authority's” in both places where the expression occurs substitute “Scottish Water's”,
 - (c) for “the authority” substitute “Scottish Water”.
 - (5) In subsection (4)—

Status: This is the original version (as it was originally enacted).

- (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “the authority” substitute “Scottish Water”.
- 50 (1) Section 76B (regulations for preserving water quality) is amended as follows.
- (2) In subsection (1)—
 - (a) for “a water authority” in both places where the expression occurs substitute “Scottish Water”,
 - (b) for “that authority” in each place where the expression occurs substitute “Scottish Water”.
 - (3) In subsection (2)—
 - (a) for “water authorities” in each place where the expression occurs substitute “Scottish Water”,
 - (b) for “their” substitute “its”.
 - (4) In subsection (3)—
 - (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “that authority” substitute “Scottish Water”.
 - (5) In subsection (4)—
 - (a) for “a water authority” in both places where the expression occurs substitute “Scottish Water”,
 - (b) for “the authority” substitute “Scottish Water”.
- 51 In section 76C (offence of supplying water unfit for human consumption)—
- (a) in subsection (1)—
 - (i) for “a water authority” substitute “Scottish Water”,
 - (ii) for “the authority” substitute “Scottish Water”,
 - (b) in subsection (2), for “the water authority” in both places where the expression occurs substitute “Scottish Water”.
- 52 In section 76D (provision of water where piped supplies insufficient or unwholesome)—
- (a) in subsection (1)—
 - (i) for “a water authority” substitute “Scottish Water”,
 - (ii) for “the authority” substitute “Scottish Water”,
 - (iii) for “the water authority” in each place where the expression occurs substitute “Scottish Water”,
 - (b) in subsection (2)—
 - (i) for “a water authority” substitute “Scottish Water”,
 - (ii) for “the water authority” substitute “Scottish Water”.
- 53 In section 76E (enforcement of sections 76A to 76D)—
- (a) in subsection (1), for “water authorities” substitute “Scottish Water”,
 - (b) in subsection (4)—
 - (i) for “a water authority” substitute “Scottish Water”,
 - (ii) for “the water authority have” substitute “Scottish Water has”,
 - (iii) for “are” in the third place where it occurs substitute “is”,
 - (iv) for “them” substitute “it”.
- 54 In section 76F (general functions of local authorities in relation to water quality)—

Status: This is the original version (as it was originally enacted).

- (a) in subsection (2)—
 - (i) for “any water authority” substitute “Scottish Water and the Drinking Water Quality Regulator for Scotland”,
 - (ii) for “that water authority” in both places where the expression occurs substitute “Scottish Water”,
 - (b) in subsection (3)—
 - (i) for “a water authority” substitute “Scottish Water”,
 - (ii) for “the water authority” substitute “Scottish Water, to notify the Drinking Water Quality Regulator for Scotland of that fact and”.
- 55 In section 76G(6)(a) (remedial powers of local authorities in relation to private supplies), for “a water authority” substitute “Scottish Water”.
- 56 In section 76H(5)(b) (effect, confirmation and variation of notice under section 76G)—
 - (a) for “a water authority” substitute “Scottish Water”,
 - (b) for “their” substitute “its”.
- 57 In section 76I(2) (incidental powers of local authorities), for “a water authority” in both places where the expression occurs substitute “Scottish Water”.
- 58 In section 76L (interpretation etc. of Part VIA), in the definition of “private supply”, for “a water authority” substitute “Scottish Water”.
- 59 In section 100(2) (orders), for the words from “all” to the end substitute “Scottish Water”.
- 60 In section 103 (notices to be in writing), for “water authority” in both places where the expression occurs substitute “Scottish Water”.
- 61 In section 107 (repeal, amendment and adaptation of local enactments)—
 - (a) in subsection (1)(b)—
 - (i) for “a water authority” substitute “Scottish Water”,
 - (ii) in sub-paragraph (i), for “the applicant” substitute “Scottish Water”,
 - (iii) sub-paragraph (ii) is repealed,
 - (b) in subsection (5), for “a water authority” substitute “Scottish Water”.
- 62 In section 109 (interpretation)—
 - (a) in subsection (1)—
 - (i) for the definition of “area” substitute—

““area”, in relation to Scottish Water, means the area comprising all of the local government areas established by virtue of section 1 of the Local Government etc. (Scotland) Act 1994 (c. 39);”,
 - (ii) for the definition of “limits of supply” substitute—

““limits of supply”, in relation to Scottish Water, means the area of Scottish Water;”,
 - (iii) the definition of “water authority” is repealed,
 - (iv) in the definition of “supply of water in bulk” for “the water authority taking the supply” substitute “Scottish Water”,
 - (b) in subsection (3), for “the water authority” substitute “Scottish Water”.
- 63 In section 110(2) (further provisions as to communication pipes etc.)—
 - (a) for “the water authority” substitute “Scottish Water”,

Status: This is the original version (as it was originally enacted).

- (b) for “the authority” substitute “Scottish Water”.
- 64 (1) Schedule 1 (procedure for making orders and making and confirming byelaws) is amended as follows.
- (2) In paragraph 1—
- (a) for “Applicants” substitute “Where Scottish Water proposes to apply”,
 - (b) after “applies” insert “it”,
 - (c) for “they desire” substitute “it desires”.
- (3) In paragraph 2—
- (a) for “the applicants” substitute “Scottish Water”,
 - (b) in sub-paragraph (i), the words “water authority and” are repealed,
 - (c) in sub-paragraph (ii), for “the applicants” substitute “Scottish Water”.
- (4) In paragraph 3—
- (a) for “The applicants” substitute “Scottish Water”,
 - (b) for “they are” substitute “it is”,
 - (c) the words from “naming” to “order” in the second place where it occurs are repealed.
- (5) In paragraph 4—
- (a) for “The applicants” substitute “Scottish Water”,
 - (b) for “they think” substitute “it thinks”.
- (6) In paragraph 5, for “the applicants” in both places where the expression occurs substitute “Scottish Water”.
- (7) In paragraph 8—
- (a) for “the applicants” substitute “Scottish Water”,
 - (b) the words from “and the” to the end are repealed.
- (8) In paragraph 11, in sub-paragraph (i), for “the water authority and” substitute “Scottish Water and on the”.
- (9) In paragraph 12, the words from “naming” to “order” in the second place where it occurs are repealed.
- (10) In paragraph 14, for the words “the authority to whom the order relates” substitute “Scottish Water”.
- (11) In paragraph 15, after “from” in the second place where it occurs insert “Scottish Water or”.
- (12) In paragraph 17, for the words from “the authority” to the end substitute “Scottish Water”.
- (13) In paragraph 19—
- (a) for “A water authority who propose” substitute “Where Scottish Water proposes”,
 - (b) after “applies” insert “it”,
 - (c) for “their” substitute “its”,
 - (d) the words “water authority and” are repealed,

Status: This is the original version (as it was originally enacted).

- (e) for “the water authority” in the second place where that expression occurs substitute “Scottish Water”.
 - (14) In paragraph 20—
 - (a) for “The water authority” substitute “Scottish Water”,
 - (b) for “they propose” substitute “it proposes”.
 - (15) In paragraph 23, for the words from “the authority” to the end substitute “Scottish Water”.
 - (16) In paragraph 24, the words from “shall be” to “and” are repealed.
 - (17) In paragraph 26, for “the water authority” substitute “Scottish Water”.
 - (18) In paragraph 27—
 - (a) for “The water authority” substitute “Scottish Water”,
 - (b) for “they” substitute “it”.
 - (19) In paragraph 30—
 - (a) for “the water authority” substitute “Scottish Water”,
 - (b) for “the authority” substitute “Scottish Water”.
 - (20) In paragraph 31, for “the authority” in both places where the expression occurs substitute “Scottish Water”.
- 65 In Schedule 2 (orders under section 17 authorising compulsory acquisition of land)
- (a) in paragraph 4—
 - (i) for “the water authority” substitute “Scottish Water”,
 - (ii) for “they” substitute “it”,
 - (b) in paragraph 6, for “the water authority” in both places where the expression occurs substitute “Scottish Water”.
- 66 (1) Schedule 3 (provisions as to breaking open roads and laying communication and supply pipes) is amended as follows.
- (2) In paragraph 1—
 - (a) for “a water authority” substitute “Scottish Water”,
 - (b) in the proviso, for “they” substitute “it”.
 - (3) In paragraph 2(2)—
 - (a) for “the authority propose” substitute “Scottish Water proposes”,
 - (b) for “they” substitute “it”,
 - (c) for “the authority” substitute “Scottish Water”.
 - (4) In paragraph 4—
 - (a) in sub-paragraph (1)—
 - (i) for “A water authority” substitute “Scottish Water”,
 - (ii) for “they deem” substitute “it deems”,
 - (iii) in the proviso, for “the authority” substitute “Scottish Water”,
 - (b) in sub-paragraph (2), for “the authority” substitute “Scottish Water”.
 - (5) In paragraph 5—
 - (a) for “any water authority” substitute “Scottish Water”,

Status: This is the original version (as it was originally enacted).

(b) for “the authority” substitute “Scottish Water”.

(6) In paragraph 6—

- (a) in sub-paragraph (1)—
 - (i) for “the authority” substitute “Scottish Water”,
 - (ii) for “they” in the first place where it occurs substitute “it”,
 - (iii) for “they think” substitute “it thinks”,
- (b) in sub-paragraph (2)—
 - (i) for “the water authority” substitute “Scottish Water”,
 - (ii) for “the authority” in the first place where the expression occurs substitute “Scottish Water”,
 - (iii) for “they are” substitute “it is”,
 - (iv) for “them” in each place where it occurs substitute “it”,
 - (v) for “the authority lay” substitute “Scottish Water lays”,
- (c) in sub-paragraph (3)—
 - (i) for “an authority to whom such a notice as aforesaid is given”, substitute “where such a notice as aforesaid is given to Scottish Water, it”,
 - (ii) for “them” in both places where it occurs substitute “it”,
 - (iii) for “their” in both places where it occurs substitute “its”,
 - (iv) for “they make” substitute “it makes”,
 - (v) for “the authority” substitute “Scottish Water”,
 - (vi) for “they” in the second and third places where it occurs substitute “it”.

(7) In paragraph 7—

- (a) in sub-paragraph (1)—
 - (i) for “the authority” substitute “Scottish Water”,
 - (ii) for “them” substitute “it”,
- (b) in sub-paragraph (2)—
 - (i) for “the authority give” substitute “Scottish Water gives”,
 - (ii) for “three months” substitute “such period of not less than three months as the notice shall specify”,
 - (iii) for “the authority” in the second place where the expression occurs substitute “Scottish Water”,
- (c) in sub-paragraph (3)—
 - (i) for “the authority” substitute “Scottish Water”,
 - (ii) for “themselves” substitute “itself”,
- (d) in sub-paragraph (4)—
 - (i) for “the authority” substitute “Scottish Water”,
 - (ii) for “they are” in both places where the expression occurs substitute “it is”,
 - (iii) for “them” in both places where it occurs substitute “it”,
- (e) in sub-paragraph (5)—
 - (i) for “the authority” in the first place where the expression occurs substitute “Scottish Water”,
 - (ii) for “the authority have” substitute “Scottish Water has”.

Status: This is the original version (as it was originally enacted).

(8) In paragraph 9—

- (a) in sub-paragraph (1), for “the authority” in both places where the expression occurs substitute “Scottish Water”,
- (b) in sub-paragraph (2), for “the authority deem” substitute “Scottish Water deems”.

67 In Schedule 10 (amendment of enactments), Part I is repealed.