



Water Industry (Scotland) Act 2002

2002 asp 3

PART 3

SCOTTISH WATER

Charges

38 Suspension of collection of charges by local authority

- (1) This section applies in relation to any dwellings to which Scottish Water provides services which are the subject of a determination under section 37(1)(a).
- (2) Where, in relation to any such dwellings, Scottish Water serves a notice under this subsection on the relevant local authority, the services which are the subject of the determination, so far as provided to dwellings to which the notice relates, are to be treated for so long as the notice remains in force as if they were not subject to the determination.
- (3) A notice under subsection (2) may be withdrawn in whole or in part by Scottish Water by serving a further notice on the relevant local authority.
- (4) The Scottish Ministers may by regulations make provision as to—
 - (a) the form and content of a notice under subsection (2) or (3),
 - (b) when such a notice comes into force,
 - (c) (either or both) the maximum and minimum numbers of dwellings to which such a notice may relate,
 - (d) such other matters in relation to such a notice as the Scottish Ministers think necessary or expedient.
- (5) Regulations under subsection (4) may also make provision for the payment by Scottish Water to the relevant local authority of a sum, specified in or calculated in accordance with the regulations, in respect of any reasonable administrative expenses incurred by the authority in consequence of the service of a notice under subsection (2) or (3).
- (6) In this section, “the relevant local authority” means the local authority which—
 - (a) is, by virtue of the determination under section 37(1)(a), responsible for demanding and recovering charges payable for services provided by Scottish

Status: This is the original version (as it was originally enacted).

Water to the dwellings to which the notice under subsection (2) or (3) relates and which are the subject of the determination, or

- (b) was, until the notice came into force, so responsible.