

SCHEDULE 3

CERTAIN PRE-EXISTING AGREEMENTS AS TO CHARGES

- 1 (1) In this schedule, a “relevant agreement” is an agreement—
- (a) between Scottish Water and another person (a “relevant customer”) in respect of eligible premises (within the meaning of Part 2)—
 - (i) by virtue of any of the provisions referred to in sub-paragraph (3) or otherwise; and
 - (ii) which makes provision as to the charges to be paid (other than under a charges scheme) by the relevant customer for services provided by Scottish Water in the exercise of its core functions; and
 - (b) extant on the coming into force of this schedule.
- (2) For the purposes of sub-paragraph (1)—
- (a) an agreement between Scottish Water and another person includes an agreement with the other person to which Scottish Water has become party in consequence of a transfer, by virtue of any enactment or contractual arrangements, of obligations to Scottish Water; and
 - (b) an agreement which makes provision as to the charges to be paid for services provided by Scottish Water does not include an agreement by virtue of which there is an obligation to which section 47 of the 1980 Act applies.
- (3) For the purposes of sub-paragraph (1)(a)(i), the provisions are—
- (a) sections 29(2)(b) and (4) and 31(6) of the 2002 Act” (as they had effect immediately before their repeal by this Act);
 - (b) section 29(3)(j) of the 1968 Act (as it had effect immediately before its repeal by this Act).