



# Water Services etc. (Scotland) Act 2005

## 2005 asp 3

### PART 2

#### PROVISION OF WATER AND SEWERAGE SERVICES

##### *Scottish Water: services via licensed providers*

#### **18 Discontinuation of water services**

- (1) A water services provider may request Scottish Water to discontinue a supply of water to premises made under subsection (2) of section 16.
- (2) At least 14 days before making a request under subsection (1), the provider must serve a notice of the provider's intention to make such a request on—
  - (a) the occupier of the premises;
  - (b) Scottish Water; and
  - (c) the Commission.
- (3) The notice must be in such form and contain such particulars as the Scottish Ministers may by order prescribe.
- (4) An occupier of premises who has been served with a notice under subsection (2) may, within 10 days of the date of service of the notice, make representations to the provider about the notice; and the provider must have regard to any representations so made.
- (5) Where a request is made under subsection (1), Scottish Water is to discontinue the supply of water made under section 16(2) to the premises if the conditions mentioned in subsection (6) are satisfied.
- (6) The conditions are that—
  - (a) the provisions of the code made under section 19 are complied with; and
  - (b) any supply of water to—
    - (i) the premises for domestic purposes; or
    - (ii) any other premises for any purpose, is not adversely affected by the discontinuation.

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*Changes to legislation: There are currently no known outstanding effects for the  
Water Services etc. (Scotland) Act 2005, Section 18. (See end of Document for details)*

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- (7) In subsection (6)(b)(i), what is a supply of water for domestic purposes is to be construed in accordance with section 7 (supply of water for domestic purposes) of the 1980 Act.
- (8) Any reasonable costs incurred by Scottish Water in effecting a discontinuation under this section are to be met by the water services provider who made the request under subsection (1) for the discontinuation.
- (9) If there is a dispute between a water services provider and Scottish Water as to reasonable costs incurred in effecting a discontinuation under this section, Scottish Water is to refer the matter to the Commission for determination; and the determination of the Commission in the matter is final.

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**Commencement Information**

- II** S. 18 in force at 7.9.2006 by [S.S.I. 2006/445](#), art. 2, [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Water Services etc. (Scotland) Act 2005, Section 18.