Water Services etc. (Scotland) Act 2005

2005 asp 3

PART 2

PROVISION OF WATER AND SEWERAGE SERVICES

Scottish Water: charges and functions

23   Determinations relating to provision of services

(1) In section 1 (duty of Scottish Water to provide for sewerage) of the 1968 Act—

(a)   in subsection (4)—

(i) for the words "Secretary of State" there is substituted "Water Industry Commission for Scotland"; and

(ii) for the word "his" there is substituted "its";

(b)   after that subsection there is inserted—

"(4A) The Commission—

(a)   shall prepare a statement which specifies the procedure to be followed for the purposes of its determining questions under subsection (4) above, and

(b)   may from time to time revise the statement.

(4B) In preparing or revising the statement, the Commission shall consult Scottish Water and such other persons as it considers appropriate.

(4C) The Commission shall, on payment of such reasonable fee (if any) as the Commission may determine, send a copy of the statement to any person who requests it.";

(c)   subsection (5) is repealed; and

(d)   in subsection (6), for the words "subsections (3C) and (5)" there is substituted "subsection (3C)".

(2) In section 6 (duty of Scottish Water to provide water supply) of the 1980 Act—

(a)   in subsection (3)—

(i) for the words "Secretary of State" there is substituted "Water Industry Commission for Scotland"; and

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    (ii) for the word "his" there is substituted "its"; and

 (b) after that subsection there is inserted—

  "(3A) The Commission—

    (a) shall prepare a statement which specifies the procedure to be followed for the purposes of its determining questions under subsection (3), and

    (b) may from time to time revise the statement.

  (3B) In preparing or revising the statement, the Commission shall consult Scottish Water and such other persons as it considers appropriate.

  (3C) The Commission shall, on payment of such reasonable fee (if any) as the Commission may determine, send a copy of the statement to any person who requests it.".