

Status: Point in time view as at 01/10/1992.

Changes to legislation: There are currently no known outstanding effects for the Abolition of Domestic Rates Etc. (Scotland) Act 1987 (repealed), Part 1. (See end of Document for details)

SCHEDULES

SCHEDULE 5

WATER AND SEWERAGE CHARGES

PART 1

CHARGES FOR WATER SERVICES

Textual Amendments applied to the whole legislation

- F1** Act repealed (*prosp.*) by [Local Government Finance Act 1992 \(c. 14\)](#), ss. 117(2), 119(2)(e), [Sch.14](#) (with s. 118(1)(2)(4) and saving in s. 118(3) and subject to a saving for Sch. 2 para. 7A (16.8.1993) by [S.I. 1993/1780](#), [art. 2](#) and subject to amendments (11.6.1996) by [1995 c. 18](#), s. 41(4), [Sch. 2 para. 10](#); [S.I. 1996/1509](#), [art. 2](#), [Sch.](#) and (29.11.1999 for specified purposes, otherwise *prosp.*) by [1998 c. 14](#), ss. 86(1), 87(2), [Sch. 7 para. 15](#); [S.I. 1999/3178](#), [art. 2\(1\)\(a\)\(2\)](#) (subject to transitional provisions in [Schs. 21-23](#)) The repeal of the Act by [Local Government Finance Act 1992 \(c. 14\)](#) was brought into force (1.4.1992) as regards Sch. 1 para. 19 by [S.I. 1992/818](#), [para. 2\(b\)](#), [Sch.](#)
- The repeal of the Act by [Local Government Finance Act 1992 \(c. 14\)](#) was brought into force (1.10.1992) as regards ss. 3A, 9, 10(7A), 11B, 28, Sch. 2 paras. 1(2), 2(1), Sch. 5 paras. 2-5, 9, 10, 14, 15, 17, 18, 19, 21, 25 by [S.I. 1992/2183](#), [art. 2\(d\)](#), [Sch.](#) (with savings in [art. 3](#))
- The repeal of the Act by [Local Government Finance Act 1992 \(c. 14\)](#) was brought into force (1.4.1993) as regards ss. 1-7, 14, 18(2A), 20(10), 25(1)(3), words in s. 26(1), ss. 26(2), 27, 33, Sch. 1, Sch. 3 paras. 1-4, 5(1), 7, Sch. 5 paras. 1, 6, 12, 13, 16, 19A, 20, 22-24, 26-49 by [S.I. 1993/575](#), [art. 2](#), [Sch.](#) (with savings in [arts. 4, 5\(b\)](#))

- 1 Subject to the provisions of this Part of this Schedule, the expenditure incurred by the council of a region or islands area (in this Schedule referred to as a “local authority”) in meeting any requisition under Part IV or VIII of the ^{M1}1980 Act and in the exercise of any of their functions under any enactment in relation to water supply in their region or area shall, insofar as not otherwise met, be met out of—
- the charges (hereinafter in this Schedule referred to as “direct charges”) made under section 49 of the 1980 Act (which relates to the payment for water supplies by meter);
 - the community water charges mentioned in paragraph 6 below; and
 - the non-domestic water rate mentioned in paragraph 12 below.

Marginal Citations

- M1** [1980 c. 45\(130\)](#).

Status: Point in time view as at 01/10/1992.

Changes to legislation: There are currently no known outstanding effects for the Abolition of Domestic Rates Etc. (Scotland) Act 1987 (repealed), Part 1. (See end of Document for details)

Estimation and apportionment of expenditure

F12

Textual Amendments

F1 Sch. 5 para. 2: the repeal of the Act by [Local Government Finance Act 1992 \(c. 14\)](#), s. 117(2), [Sch. 14](#) (with s. 118(1)(2)(4) and saving in s. 118(3)) was brought into force (1.10.1992) as regards Sch. 5 para. 2 by [S.I. 1992/2183](#), [art. 2\(d\)](#), Sch. (with art. 3).

F23

Textual Amendments

F2 Sch. 5 para. 3: the repeal of the Act by [Local Government Finance Act 1992 \(c. 14\)](#), s. 117(2), [Sch. 14](#) (with s. 118(1)(2)(4) and saving in s. 118(3)) was brought into force (1.10.1992) as regards Sch. 5 para. 3 by [S.I. 1992/2183](#), [art. 2\(d\)](#), Sch. (with art. 3).

F34

Textual Amendments

F3 Sch. 5 para. 4: the repeal of the Act by [Local Government Finance Act 1992 \(c. 14\)](#), s. 117(2), [Sch. 14](#) (with s. 118(1)(2)(4) and saving in s. 118(3)) was brought into force (1.10.1992) as regards Sch. 5 para. 4 by [S.I. 1992/2183](#), [art. 2\(d\)](#), Sch. (with art. 3).

Direct charges

F45

Textual Amendments

F4 Sch. 5 para. 5: the repeal of the Act by [Local Government Finance Act 1992 \(c. 14\)](#), s. 117(2), [Sch. 14](#) (with s. 118(1)(2)(4) and saving in s. 118(3)) was brought into force (1.10.1992) as regards Sch. 5 para. 5 by [S.I. 1992/2183](#), [art. 2\(d\)](#), Sch. (with art. 3).

Community water charges

6 There shall be imposed, in accordance with the provisions of this Part of this Schedule, three community water charges, to be known respectively as the personal community water charge, the standard community water charge and the collective community water charge.

Liability to pay community water charges

7 Where in respect of any financial year or any part of a financial year the qualifying conditions mentioned in paragraph 8 below are met, any person who is liable to pay any of the community charges mentioned in section 7 of this Act (that is, the personal community charge, the standard community charge or the collective

Status: Point in time view as at 01/10/1992.

Changes to legislation: There are currently no known outstanding effects for the Abolition of Domestic Rates Etc. (Scotland) Act 1987 (repealed), Part 1. (See end of Document for details)

community charge) shall also be liable to pay the corresponding community water charge (that is, the personal community water charge, the standard community water charge or the collective community water charge).

- 8 the qualifying conditions for the purposes of paragraph 7 above are—
- (a) that the water authority provides a supply of water for domestic purposes within the meaning of section 7 of the 1980 Act (which defines that term) to premises—
 - (i) in which that person has his sole or main residence, or
 - (ii) in respect of which he is liable to pay the standard community charge or, as the case may be, the collective community charge; and
 - (b) that the water is not wholly supplied to those premises by meter [^{F5}and]
 - [^{F6}(c) that the supply of water provided is not one which the water authority were, immediately before 16 May 1949, and continue to be under an obligation to provide free of charge.]

Textual Amendments

- F5** Word added by [Local Government and Housing Act 1989 \(c. 42, SIF 81:2\)](#), s. 145, **Sch. 6 para. 26**
- F6** [Sch. 5 para. 8\(c\)](#) added by [Local Government and Housing Act 1989 \(c. 42, SIF 81:2\)](#), s. 145, **Sch. 6 para. 26**

Determination of community water charges

^{F7}9

Textual Amendments

- F7** [Sch. 5 para. 9](#): the repeal of the Act by [Local Government Finance Act 1992 \(c. 14\)](#), s. 117(2), **Sch. 14** (with s. 118(1)(2)(4) and saving in s. 118(3)) was brought into force (1.10.1992) as regards Sch. 5 para. 9 by [S.I. 1992/2183](#), **art. 2(d)**, Sch. (with art. 3).

^{F8}10

Textual Amendments

- F8** [Sch. 5 para. 10](#): the repeal of the Act by [Local Government Finance Act 1992 \(c. 14\)](#), s. 117(2), **Sch. 14** (with s. 118(1)(2)(4) and saving in s. 118(3)) was brought into force (1.10.1992) as regards Sch. 5 para. 10 by [S.I. 1992/2183](#), **art. 2(d)**, Sch. (with art. 3).

11 Subject to paragraphs 7 and 8 above, the provisions of Part II of and [^{F9}Schedules 1A and] 2 to this Act shall have effect, subject to such adaptations, exceptions and modifications as may be prescribed, in relation to the community water charges as they have effect in relation to the corresponding community charges.

Textual Amendments

- F9** Words substituted by [Local Government Finance Act 1988 \(c. 41, SIF 81:1; 103:2\)](#), s. 137, **Sch. 12 para. 38**

Status: Point in time view as at 01/10/1992.

Changes to legislation: *There are currently no known outstanding effects for the Abolition of Domestic Rates Etc. (Scotland) Act 1987 (repealed), Part 1. (See end of Document for details)*

Non-domestic water rate

- 12 The provisions of section 40 of the 1980 Act, as substituted by paragraph 29 of this Schedule, shall have effect in relation to the non-domestic water rate.

Status:

Point in time view as at 01/10/1992.

Changes to legislation:

There are currently no known outstanding effects for the Abolition of Domestic Rates Etc. (Scotland) Act 1987 (repealed), Part 1.