

Status: Point in time view as at 01/04/1993.

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 (Scotland) Act 1987 (repealed), Part 1.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- F1** Act repealed (*prosp.*) by [Local Government Finance Act 1992 \(c. 14\)](#), ss. 117(2), 119(2)(e), [Sch.14](#) (with s. 118(1)(2)(4) and saving in s. 118(3) and subject to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\(b\)](#))

F11

Textual Amendments

- F1** [Sch. 5 para. 1](#): 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 (1.4.1993) as regards Sch. 5 para. 1 by [S.I. 1993/575](#), [art. 2\(d\)](#),Sch. (with saving in [art. 5\(b\)](#))

Estimation and apportionment of expenditure

F22

Textual Amendments

- F2** [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](#)).

Status: Point in time view as at 01/04/1993.

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F3₃

Textual Amendments

F3 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).

F4₄

Textual Amendments

F4 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

F5₅

Textual Amendments

F5 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

F6₆

Textual Amendments

F6 Sch. 5 para. 6: 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 (1.4.1993) as regards Sch. 5 para. 6 by [S.I. 1993/575](#), [art. 2\(5\)](#), Sch.(with saving in art. 5(b))

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 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—

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- (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 [^{F7}and]
- [^{F8}(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

- F7** Word added by [Local Government and Housing Act 1989 \(c. 42, SIF 81:2\)](#), s. 145, [Sch. 6 para. 26](#)
- F8** [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

^{F9}9

Textual Amendments

- F9** [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).

^{F10}10

Textual Amendments

- F10** [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 [^{F11}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

- F11** Words substituted by [Local Government Finance Act 1988 \(c. 41, SIF 81:1; 103:2\)](#), s. 137, [Sch. 12 para. 38](#)

Non-domestic water rate

^{F12}12

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Textual Amendments

- F12** Sch. 5 para. 12: 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 (1.4.1993) as regards Sch. 5 para. 12 by [S.I. 1993/575](#), [art. 2\(d\)](#), Sch.(with saving in art. 5(b))

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