
Changes to legislation: Water Industry Act 1991, SCHEDULE 10 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 10

Section 157.

PROCEDURE RELATING TO BYELAWS UNDER SECTION 157

Confirmation of byelaws

- 1 (1) No byelaw made by a relevant undertaker under section 157 of this Act shall have effect until confirmed by the Secretary of State under this Schedule.
- (2) At least one month before it applies for the confirmation of any such byelaw, a relevant undertaker shall—
- (a) cause a notice of its intention to make the application to be published in the London Gazette and in such other manner as it considers appropriate for the purpose of bringing the proposed byelaw to the attention of persons likely to be affected by it; and
 - (b) cause copies of the notice to be served on any persons carrying out functions under any enactment who appear to it to be concerned.
- (3) For at least one month before an application is made by a relevant undertaker for the confirmation of any such byelaw, a copy of it shall be deposited at one or more of the offices of the relevant undertaker, including (if there is one) at an office in the area to which the byelaw would apply.
- (4) A relevant undertaker shall provide reasonable facilities for the inspection free of charge of a byelaw deposited under sub-paragraph (3) above.
- (5) Every person shall be entitled, on application to a relevant undertaker, to be furnished free of charge with a printed copy of a byelaw so deposited.

Confirmation with or without modifications

- 2 (1) The Secretary of State, with or without a local inquiry, may refuse to confirm any byelaw submitted to him by a relevant undertaker for confirmation under this Schedule, or may confirm the byelaw either without or, if the relevant undertaker consents, with modifications.
- (2) The relevant undertaker which has so submitted a byelaw shall, if so directed by the Secretary of State, cause notice of any proposed modifications to be given in accordance with his directions.

Commencement of byelaw

- 3 (1) The Secretary of State may fix the date on which any byelaw confirmed under this Schedule is to come into force.
- (2) If no date is so fixed, the byelaw shall come into force at the end of the period of one month beginning with the date of confirmation.

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Availability of confirmed byelaws

- 4 (1) Every byelaw made by a relevant undertaker and confirmed under this Schedule shall be printed and deposited at one or more of the offices of the relevant undertaker, including (if there is one) at an office in the area to which the byelaw applies; and copies of the byelaw shall be available at those offices, at all reasonable times, for inspection by the public free of charge.
- (2) Every person shall be entitled, on application to a relevant undertaker and on payment of such reasonable sum as the relevant undertaker may determine, to be furnished with a copy of any byelaw so deposited by that undertaker.

Revocation of byelaws

- 5 Without prejudice to subsection (5) of section 157 of this Act and subject to paragraph 4(4) of Schedule 2 to the ^{M1}Water Consolidation (Consequential Provisions) Act 1991, if it appears to the Secretary of State that the revocation of a byelaw under that section is necessary or expedient, he may, after—
- (a) giving notice to the relevant undertaker which made the byelaw;
 - (b) considering any representations or objections made by that undertaker; and
 - (c) if required by that undertaker, holding a local inquiry,
- revoke that byelaw.

Modifications etc. (not altering text)

C1 Sch. 10 para. 5 amended (01.12.1991) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), ss. 2(2), 4(2), **Sch. 2 Pt. 1 para. 4(4)**.

Marginal Citations

M1 1991 c. 60.

Proof of byelaws etc.

- 6 The production of a printed copy of a byelaw purporting to be made by a relevant undertaker upon which is indorsed a certificate, purporting to be signed on its behalf, stating—
- (a) that the byelaw was made by that undertaker;
 - (b) that the copy is a true copy of the byelaw;
 - (c) that on a specified date the byelaw was confirmed under this Schedule; and
 - (d) the date, if any, fixed under paragraph 3 above for the coming into operation of the byelaw,
- shall be prima facie evidence of the facts stated in the certificate, and without proof of the handwriting or official position of any person purporting to sign the certificate.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 3 Ch. 2B inserted by [2014 c. 21 s. 12](#)
- s. 17(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 4(4)(b) (as substituted) by [S.I. 2019/1245 reg. 21](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 17A(c) repealed by [2014 c. 21 Sch. 5 para. 4\(2\)\(c\)](#)
- s. 17A(d) repealed by [2014 c. 21 Sch. 5 para. 4\(2\)\(c\)](#)
- s. 17A(2)(ba) and word inserted by [2014 c. 21 Sch. 5 para. 4\(2\)\(b\)](#)
- s. 17R(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 4(7)(b) (as substituted) by [S.I. 2019/1245 reg. 21](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 17AA(1)(ba)(bb) inserted by [2014 c. 21 Sch. 5 para. 5\(2\)](#)
- s. 17BA(5A) inserted by [2014 c. 21 Sch. 5 para. 7\(3\)](#)
- s. 17HA(9)(b)(ia) inserted by [2014 c. 21 Sch. 5 para. 16\(2\)](#)
- s. 23(2AA) inserted by [2014 c. 21 Sch. 7 para. 35\(4\)](#)
- s. 23(8)(9) inserted by [2014 c. 21 Sch. 7 para. 35\(10\)](#)
- s. 39E-39H inserted by [2021 c. 30 s. 78\(7\)](#)
- s. 87(7C)-(7F) inserted by [2012 c. 7 s. 35\(6\)](#)
- s. 94A-94E inserted by [2021 c. 30 s. 79](#)
- s. 95ZA(6) inserted by [2014 c. 21 Sch. 5 para. 39\(4\)](#)
- s. 96ZA(2)-(5) substituted for s. 96ZA(2) by [2014 c. 21 Sch. 5 para. 40](#)
- s. 106B(3A) inserted by [2014 c. 21 Sch. 7 para. 94](#)
- s. 117G(2)(aa) inserted by [2014 c. 21 Sch. 5 para. 41\(2\)](#)
- s. 117G(4)-(4D) substituted for s. 117(4) by [2014 c. 21 Sch. 5 para. 41\(3\)](#)
- s. 117G(6)(aa) inserted by [2014 c. 21 Sch. 5 para. 41\(4\)](#)
- s. 117K(2)(aa) inserted by [2014 c. 21 Sch. 5 para. 42\(2\)](#)
- s. 117K(5)(5A) substituted for s. 117(5) by [2014 c. 21 Sch. 5 para. 42\(3\)](#)
- s. 117L(9) inserted by [2014 c. 21 Sch. 5 para. 43\(3\)](#)
- s. 117N(4)(aa) inserted by [2014 c. 21 Sch. 5 para. 45\(2\)](#)
- s. 117N(8)(aa) inserted by [2014 c. 21 Sch. 5 para. 45\(3\)](#)
- s. 117N(11)(aa) inserted by [2014 c. 21 Sch. 5 para. 45\(4\)](#)
- s. 117O(4)(aa) inserted by [2014 c. 21 Sch. 5 para. 46\(2\)](#)
- s. 117O(8)(aa) inserted by [2014 c. 21 Sch. 5 para. 46\(3\)](#)
- s. 117S(7)-(9) inserted by [2014 c. 21 Sch. 5 para. 49](#)
- s. 119(2)(ab) inserted by [2003 c. 37 s. 89\(1\)\(a\)](#)
- s. 119(3) inserted by [2003 c. 37 s. 89\(1\)\(b\)](#)
- s. 121(1)(ba) inserted by [2003 c. 37 s. 89\(2\)\(a\)](#)
- s. 141DA inserted by [2021 c. 30 s. 81](#)
- s. 141DC inserted by [2021 c. 30 s. 83](#)
- s. 177K(7)(aa) inserted by [2014 c. 21 Sch. 5 para. 42\(4\)](#)
- s. 207D and cross-heading inserted by [2014 c. 21 s. 39](#)
- s. 207D(5) word repealed by [2014 c. 21 Sch. 5 para. 52\(a\)](#)
- s. 207D(5) words inserted by [2014 c. 21 Sch. 5 para. 52\(b\)](#)

- s. 213(1ZA) inserted by [2014 c. 21 Sch. 7 para. 119\(3\)](#)
- s. 213(1ZA) repealed by [2014 c. 21 Sch. 5 para. 53](#)