

Changes to legislation: There are currently no known outstanding effects for the Competition and Service (Utilities) Act 1992, Cross Heading: The Water Industry Act 1991 (c.56). (See end of Document for details)

SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

The Water Industry Act 1991 (c.56)

- 17 In section 8 of the Water Industry Act 1991 (procedure with respect to appointments and variations)—
- (a) in subsections (2)(a) and (4)(b) “ the NRA ” shall be inserted after “appointee”; and
 - (b) in subsection (5)(b) “ the NRA and on ” shall be inserted after “on”.

Commencement Information

- 11** [Sch. 1 para. 17](#) wholly in force at 1.7.1992 see [s. 56\(2\)](#) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

- 18 In section 38 of the Act of 1991 (standards of performance in connection with water supply) the following subsection shall be added at the end—
- “(5) Where the Director determines any dispute in accordance with regulations under this section he shall, in such manner as may be specified in the regulations, give his reasons for reaching his decision with respect to the dispute.”

Commencement Information

- 12** [Sch. 1 para. 18](#) wholly in force at 1.7.1992 see [s. 56\(2\)](#) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

- 19 (1) The amendments set out in sub-paragraphs (2) and (3) shall be made in section 39(1) of the Act of 1991 (procedure for regulations about standards of performance in connection with water supply).
- (2) For paragraph (b) there shall be substituted—
- “(b) the Secretary of State is satisfied that a copy of the application has been served by the Director—
- (i) on every water undertaker specified in the application; and
 - (ii) on persons or bodies appearing to the Secretary of State to be representative of persons likely to be affected by the regulations;”.

(3) In paragraph (c)(ii), after “undertaker” there shall be inserted “ or person or body on whom a copy of the application has been served under paragraph (b)(ii) above ”.

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- I3** [Sch. 1 para. 19](#) wholly in force at 1.7.1992 see [s. 56\(2\)](#) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

- 20 In section 52 of the Act of 1991 (the domestic supply duty), in subsection (3)(a) for “a water main” there shall be substituted “ one of the water undertaker’s water mains ”.

Commencement Information

- I4** [Sch. 1 para. 20](#) wholly in force at 1.7.1992 see [s. 56\(2\)](#) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

- 21 In section 64 of the Act of 1991 (supply of water by means of separate service pipes)—
- (a) the words “within its area” shall be omitted from subsection (1); and
 - (b) in subsection (2), for the words “was provided to those houses before 15th April 1981 wholly or partly by the same service pipe and continues to be so provided” there shall be substituted “ is provided wholly or partly by the same service pipe ”.

Commencement Information

- I5** [Sch. 1 para. 21](#) wholly in force at 1.7.1992 see [s. 56\(2\)](#) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

- 22 In section 65(9) of the Act of 1991 (duties of undertakers as respects constancy and pressure), for “Secretary of State” there shall be substituted “ Director ”.

Commencement Information

- I6** [Sch. 1 para. 22](#) wholly in force at 1.7.1992 see [s. 56\(2\)](#) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

- 23 In section 79(6) of the Act of 1991 (local authority functions where piped supplies are insufficient or unwholesome), for “Secretary of State” there shall be substituted “ Director ”.

Commencement Information

- I7** [Sch. 1 para. 23](#) wholly in force at 1.7.1992 see [s. 56\(2\)](#) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

- 24 In section 95 of the Act of 1991 (standards of performance in connection with provision of sewerage services) the following subsection shall be added at the end—
- “(5) Where the Director determines any dispute in accordance with regulations under this section he shall, in such manner as may be specified in the regulations, give his reasons for reaching his decision with respect to the dispute.”

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I8 Sch. 1 para. 24 wholly in force at 1.7.1992 see s. 56(2) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

25 (1) The amendments set out in sub-paragraphs (2) and (3) shall be made in section 96(1) of the Act of 1991 (procedure for regulations about standards of performance in connection with provision of sewerage services).

(2) For paragraph (b) there shall be substituted—

“(b) the Secretary of State is satisfied that a copy of the application has been served by the Director—

(i) on every sewerage undertaker specified in the application; and

(ii) on persons or bodies appearing to the Secretary of State to be representative of persons likely to be affected by the regulations;”.

(3) In paragraph (c)(ii), after “undertaker” there shall be inserted “ or person or body on whom a copy of the application has been served under paragraph (b)(ii) above ”.

Commencement Information

I9 Sch. 1 para. 25 wholly in force at 1.7.1992 see s. 56(2) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

26 In section 98(4) of the Act of 1991 (breach of duty of sewerage undertaker to provide public sewer) for “water” there shall be substituted “ sewerage ”.

Commencement Information

I10 Sch. 1 para. 26 wholly in force at 1.7.1992 see s. 56(2) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

27 In section 206(4)(a) of the Act of 1991 (restriction on disclosure of information), after “section” there shall be inserted “ 38A, 95A or ”.

Commencement Information

I11 Sch. 1 para. 27 wholly in force at 1.7.1992 see s. 56(2) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

28 In section 213(2) of the Act of 1991 (powers to make regulations), the following paragraph shall be inserted after paragraph (d)—

“(dd) as to awarding costs or expenses of proceedings in any determination under the regulations, including the amount of the costs or expenses and the enforcement of the awards;”.

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I12 Sch. 1 para. 28 wholly in force at 1.7.1992 see s. 56(2) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

- 29 In paragraph 1(3) of Schedule 12 to the Act of 1991 (disputes about compensation for street works etc. to go to arbitration) for “Secretary of State” there shall be substituted “ Director ”.

Commencement Information

I13 Sch. 1 para. 29 wholly in force at 1.7.1992 see s. 56(2) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

- 30 In paragraph 4(2) of that Schedule (disputes about compensation for sewerage works etc. to go to arbitration) for “Secretary of State” there shall be substituted “ Director ”.

Commencement Information

I14 Sch. 1 para. 30 wholly in force at 1.7.1992 see s. 56(2) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I.

- 31 In paragraph 4(3) of that Schedule (compensation claims)—
 (a) for “£50” there shall be substituted “ £5,000 ”; and
 (b) for the words from “on the application of” to the end there shall be substituted “ be referred to the Director for determination under section 30A of this Act by either party. ”

Commencement Information

I15 Sch. 1 para. 31 wholly in force at 1.9.1992 see s. 56(2) and Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 4, Sch. Pt. II.

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