

*Changes to legislation:* There are currently no known outstanding effects for the Competition and Service (Utilities) Act 1992, SCHEDULE 1. (See end of Document for details)

## SCHEDULES

### SCHEDULE 1

Section 56(6).

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Telecommunications Act 1984 (c.12)*

F1<sub>1</sub> .....

#### Textual Amendments

- F1** Sch. 1 para. 1 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), Sch. 19(1) Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Schs. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)

F2<sub>2</sub> .....

#### Textual Amendments

- F2** Sch. 1 para. 2 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), Sch. 19(1) Note 1 (with Sch. 18); S.I. 2003/1900, arts. 1(2), 2(1), Schs. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)

3 In section 101 of the Act of 1984 (general restrictions on disclosure of information)

—  
(a) the following paragraph shall be inserted in subsection (2), after paragraph (b)—

“ (bb) for the purpose of facilitating the carrying out by the Comptroller and Auditor General of any of his functions under any enactment; ” and

F3(b) .....

#### Textual Amendments

- F3** Sch. 1 para. 3(b) repealed (29.12.2003) by Communications Act 2003 (c. 21), s. 411(2), Sch. 19(1) Note 1 (with Sch. 18); S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)

F4<sub>4</sub> .....

#### Textual Amendments

- F4** Sch. 1 para. 4 repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by Communications Act 2003 (c. 21), s. 411(2), Sch. 19(1) Note 1 (with Sch. 18); S.I. 2003/1900, arts.

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1(2), 2(1), Schs. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(1), Sch. 1 (with art. 11)

*The Gas Act 1986 (c.44)*

F55 .....

**Textual Amendments**

F5 Sch. 1 para. 5 repealed (1.3.1996) by 1995 c. 45, s. 17(5), Sch. 6; S.I. 1996/218, art. 2

F66 .....

**Textual Amendments**

F6 Sch. 1 para. 6 repealed (1.3.1996) by 1995 c. 45, s. 17(5), Sch. 6; S.I. 1996/218, art. 2

7 In section 38(1) of the Act of 1986 (power to require information etc.), for “or 31” there shall be substituted “ 31 or 33E ”.

**Commencement Information**

I1 Sch. 1 para. 7 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.

8 In section 42 of the Act of 1986 (general restrictions on disclosure of information)—  
(a) the following paragraph shall be inserted in subsection (2), after paragraph (c)—  
“ (cc) for the purpose of facilitating the carrying out by the Comptroller and Auditor General of any of his functions under any enactment; ” and  
(b) in subsection (4)(a), after “section”, in the first place where it occurs, there shall be inserted “ 33C or ”.

**Commencement Information**

I2 Sch. 1 para. 8 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.

9 (1) The amendments set out in sub-paragraphs (2) and (3) shall be made in section 47 of the Act of 1986 (general provisions as to regulations under Part I).  
(2) In subsection (1)—  
(a) in paragraph (c), for “and be heard of” there shall be substituted “ before and be heard by ”; and  
(b) in paragraph (d), after “costs” there shall be inserted “ or expenses ”.

F7(3) .....

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#### Textual Amendments

**F7** Sch. 1 para. 9(3) repealed (1.3.1996) by 1995 c. 45, s. 17(5), Sch. 6; S.I. 1996/218, art. 2

#### Commencement Information

**I3** Sch. 1 para. 9 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.

- 10 In section 48(1) of the Act of 1986 (interpretation of Part I and savings), in the definition of “prescribed”, after “regulations”, there shall be inserted “ (except in section 33A above) ”.

#### Commencement Information

**I4** Sch. 1 para. 10 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.

#### *The Electricity Act 1989 (c.29)*

- 11 In section 23 of the Electricity Act 1989 (determination of disputes), the following subsection shall be inserted after subsection (1)—

“(1A) Any person making an order under subsection (1) above shall include in the order his reasons for reaching his decision with respect to the dispute.”

#### Commencement Information

**I5** Sch. 1 para. 11 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.

- 12 In section 25 of the Act of 1989 (orders for securing compliance), in the definition of “relevant requirement” in subsection (8), after “above” there shall be inserted “ or section 40(3), 41(3), 42A or 42B below ”.

#### Commencement Information

**I6** Sch. 1 para. 12 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.

- 13 In section 28(1) of the Act of 1989 (power to require information) after “above”, insert “ or 42B below ”.

#### Commencement Information

**I7** Sch. 1 para. 13 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.

- 14 In section 39 of the Act of 1989 (electricity supply: performance in individual cases), the following subsection shall be inserted after subsection (5)—

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“(5A) Any person making an order under subsection (5) above shall include in the order his reasons for reaching his decision with respect to the dispute.”

**Commencement Information**

**I8** Sch. 1 para. 14 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.

15 In section 41 of the Act of 1989 (promotion of efficient use of electricity), the following subsections shall be added at the end—

“(3) Each public electricity supplier shall, in such form and manner and with such frequency as the Director may direct, take steps to inform his customers of—

- (a) the standards determined under this section which are applicable to that supplier; and
- (b) that supplier’s level of performance as respects those standards.”

**Commencement Information**

**I9** Sch. 1 para. 15 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.

16 In Schedule 7 to the Act of 1989 (use of electricity meters), the following shall be substituted for paragraph 1(2)—

“(2) If the electricity supplier agrees, the meter may be provided by the customer; but otherwise it shall be provided by the electricity supplier (whether by way of sale, hire or loan).

(2A) A public electricity supplier may refuse to allow one of his customers to provide a meter only if there are reasonable grounds for his refusal.”

**Commencement Information**

**I10** Sch. 1 para. 16 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.

*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**

**I11** 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.

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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**

**I12** 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 ”.

**Commencement Information**

**I13** 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**

**I14** 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 ”.

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**Commencement Information**

**I15** 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**

**I16** 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**

**I17** 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.”

**Commencement Information**

**I18** 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 ”.

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**Commencement Information**

**I19** 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**

**I20** 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**

**I21** 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; ”.

**Commencement Information**

**I22** 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**

**I23** 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**

**I24** 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.

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- 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. ”

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**Commencement Information**

**I25** [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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