

## SCHEDULES

### SCHEDULE 14

#### REGULATORS: USE OF POWERS UNDER THE 1998 ACT

##### *Water Industry Act 1991 (c. 56)*

- 9 (1) Section 19 (exception to duty to enforce) is amended as follows.
- (2) For subsection (1A) substitute—
- “(1A) Before making an enforcement order or confirming a provisional enforcement order, the Authority shall consider whether it would be more appropriate to proceed under the Competition Act 1998.
- (1B) The Authority shall not make an enforcement order or confirm a provisional enforcement order if it considers that it would be more appropriate to proceed under the Competition Act 1998.”
- (3) In subsection (3)—
- (a) in the words before paragraph (a), for “is satisfied as mentioned in subsection (1A) above” substitute “has decided that it would be more appropriate to proceed under the Competition Act 1998”, and
- (b) in paragraph (a), after “satisfied” insert “or has so decided”.