

## SCHEDULE 1

### APPLICATION OF THE ACT AND RELATED PROVISIONS

#### General provisions

- 16.**—(1) Section 212 (judicial disqualification) applies as if—
- (a) after “a relevant undertaker”, there were inserted “ or a licensed infrastructure provider ”; and
  - (b) after “that undertaker”, there were inserted “ or licensed infrastructure provider ”.
- (2) Section 219 (general interpretation) applies as if—
- (a) in subsection (1) (definitions)—
    - (i) for the definition of “customer or potential customer” there were substituted—  
““customer or potential customer” means—
      - (a) in relation to a company holding an appointment under Chapter 1 of Part 2 of this Act—
        - (i) any person for or to whom that company provides any services in the course of carrying out the functions of a water undertaker or sewerage undertaker (other than a [F1 water supply licensee or sewerage licensee]); or
        - (ii) any person who might become such a person on making an application for the purpose to the company; and
      - (b) in relation to a licensed infrastructure provider—
        - (i) any person for or to whom that licensed infrastructure provider provides any services in the course of carrying out its functions; or
        - (ii) any person for or to whom that licensed infrastructure provider might provide any services in the course of carrying out its functions;”;
    - (ii) for the definition of “functions” there were substituted—  
““functions” means—
      - (a) in relation to a licensed infrastructure provider, the activities regulated by its project licence and any statutory functions conferred or imposed on it in consequence of its project licence; and
      - (b) in relation to a relevant undertaker, the functions of the undertaker under or by virtue of any enactment and shall be construed subject to section 217 above;”;
    - (iii) in the definition of “protected land”, after “ “protected land”, ” there were inserted “ in relation to a company which is a licensed infrastructure provider means any land which, or interest or right in or over land which, is held by that company for purposes connected with the carrying out of its functions and, ”; and
    - (iv) the following definitions were inserted at the appropriate place—  
““project licence” must be construed in accordance with Chapter 1A of Part 2 above;”;  
““the Regulations” means the Water Industry (Specified Infrastructure Projects) (English Undertakers) Regulations 2013;”;
  - (b) after subsection (4A) (references to the supply system of a water undertaker), there were inserted—

**Changes to legislation:** There are currently no known outstanding effects for the The Water Industry (Specified Infrastructure Projects) (English Undertakers) Regulations 2013, Paragraph 16. (See end of Document for details)

“(4B) In this Act, “incumbent undertaker”, “infrastructure”, “infrastructure project” and “licensed infrastructure provider” each have the meaning given in the Regulations.”.

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**Textual Amendments**

**F1** Words in Sch. 1 para. 16(2)(a)(i) substituted (31.3.2017) by The Water Act 2014 (Consequential Amendments etc.) Order 2017 (S.I. 2017/506), arts. 1(1), **30(16)**

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