



Water Industry Act 1991

1991 CHAPTER 56

[^{F1}PART IIIA

PROMOTION OF THE EFFICIENT USE OF WATER]

Textual Amendments

- F1** Part IIIA (ss. 93A-93D) inserted (1.2.1996) by 1995 c. 25, s. 120(1), **Sch. 22 para. 102** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 2**

[93A Duty to promote the efficient use of water.

- (1) It shall be the duty of every water undertaker to promote the efficient use of water by its customers.
- (2) The duty of a water undertaker under this section shall be enforceable under section 18 above—
 - (a) by the Secretary of State; or
 - (b) with the consent of or in accordance with a general authorisation given by the Secretary of State, by the Director.
- (3) Nothing in this Part shall have effect to authorise or require a water undertaker to impose any requirement on any of its customers or potential customers.]

[93B Power of Director to impose requirements on water undertakers.

- (1) The Director may require a water undertaker, in its performance of its duty under section 93A above, to—
 - (a) take any such action; or
 - (b) achieve any such overall standards of performance,as he may specify in the document imposing the requirement.

Status: Point in time view as at 01/03/2001.

Changes to legislation: Water Industry Act 1991, PART IIIA is up to date with all changes known to be in force on or before 20 August 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)

- (2) Where the Director, in the document imposing a requirement on a water undertaker under subsection (1) above, stipulates that any contravention of the requirement by the undertaker will be a breach of its duty under section 93A above, any contravention of that requirement by the undertaker shall be a breach of that duty.
- (3) Without prejudice to the generality of subsection (1) above, a requirement under that subsection may—
 - (a) require a water undertaker to make available to its customers or potential customers such facilities as may be specified in the document imposing the requirement;
 - (b) require a water undertaker to provide or make available to its customers or potential customers such information as may be specified in the document imposing the requirement, and may specify the form in which, the times at which or the frequency with which any such information is to be provided or made available.
- (4) In exercising his powers under this section in relation to any water undertaker the Director shall have regard to the extent to which water resources are available to that undertaker.
- (5) Before imposing any requirement on a water undertaker under subsection (1) above the Director shall consult that undertaker.
- (6) Nothing in this section authorises the Director to impose any requirement on a water undertaker which has or may have the effect of authorising or requiring that undertaker to impose any requirement on any of its customers or potential customers.]

[93C Publicity of requirements imposed under section 93B.

- (1) Where, under section 93B(1) above, the Director imposes any requirement on a water undertaker, the Director may arrange for that requirement to be publicised in any such manner as he may consider appropriate for the purpose of bringing it to the attention of that undertaker's customers.
- (2) Without prejudice to the generality of subsection (1) above, the Director may arrange for such publicising of the requirement as is mentioned in that subsection by—
 - (a) himself publicising the requirement or causing it to be publicised; or
 - (b) directing the undertaker to inform or arrange to inform its customers of the requirement.]

[93D Information as to compliance with requirements under section 93B.

- (1) Where a water undertaker is subject to any requirement imposed under section 93B(1) above, the Director may arrange for there to be given to the customers of that undertaker at any such times or with such frequency, and in any such manner, as he may consider appropriate, such information about the level of performance achieved by the undertaker in relation to that requirement as appears to the Director to be expedient to be given to those customers.
- (2) Without prejudice to the generality of subsection (1) above, the Director may arrange for such giving of information as is mentioned in that subsection by—
 - (a) himself disseminating the information or causing it to be disseminated; or

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- (b) directing the undertaker to give or arrange to give the information to its customers.
- (3) At such times and in such form or manner as the Director may direct, a water undertaker shall provide the Director with such information as may be specified in the direction in connection with the undertaker's performance in relation to any requirement imposed upon the undertaker under section 93B(1) above.
- (4) A water undertaker who fails without reasonable excuse to do anything required of him by virtue of subsection (3) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.]

Status:

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