

*Status: Point in time view as at 01/01/2016.*

*Changes to legislation: Water Industry Act 1991, Paragraph 1 is up to date with all changes known to be in force on or before 08 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)*

## SCHEDULES

### SCHEDULE 12

#### COMPENSATION ETC. IN RESPECT OF PIPE-LAYING AND OTHER WORKS POWERS

##### Modifications etc. (not altering text)

- C1** Sch. 12 applied (with modifications) (28.6.2013) by [The Water Industry \(Specified Infrastructure Projects\) \(English Undertakers\) Regulations 2013 \(S.I. 2013/1582\)](#), reg. 1(1)(b), **Sch. 1 para. 13(3)** (with reg. 1(1)(c))

##### *Compensation in respect of street works powers*

- 1 (1) This paragraph applies, in relation to a relevant undertaker, to the powers conferred on it in relation to streets by sections 158, 161 and 162 of this Act.
- (2) It shall be the duty of every relevant undertaker—
- (a) to do as little damage as possible in the exercise of the powers to which this paragraph applies; and
  - (b) to pay compensation for any loss caused or damage done in the exercise of those powers.
- (3) Any dispute as to whether compensation should be paid under sub-paragraph (2) above, or as to the amount of any such compensation, shall be referred to the arbitration of a single arbitrator appointed by agreement between the parties to the dispute or, in default of agreement, by the <sup>[F1]</sup>Director].
- (4) Until the coming into force of Part III of the <sup>M1</sup>New Roads and Street Works Act 1991, a payment of compensation under this paragraph shall be treated for the purposes of section 32 of the <sup>M2</sup>Public Utilities Street Works Act 1950 (provisions against duplication of compensation) as made under an enactment passed before that Act of 1950; but nothing in this sub-paragraph shall be taken to prejudice the power of the Secretary of State under that Act of 1991 to make an order bringing Part III of that Act into force on different days for different purposes (including the purposes of this paragraph).

##### Textual Amendments

- F1** Word in [Sch. 12 para. 1\(3\)](#) substituted (1.7.1992) by [Competition and Service \(Utilities\) Act 1992 \(c. 43\)](#), s. 56(6), **Sch. 1 para.29**; [Competition and Service \(Utilities\) Act 1992 \(Commencement No. 1\) Order 1992](#), art. 3, Sch. Pt.I

##### Marginal Citations

- M1** 1991 c. 22.

---

**Status:** *Point in time view as at 01/01/2016.*

**Changes to legislation:** *Water Industry Act 1991, Paragraph 1 is up to date with all changes known to be in force on or before 08 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)*

---

**M2** 1950 c. 39.

**Status:**

Point in time view as at 01/01/2016.

**Changes to legislation:**

Water Industry Act 1991, Paragraph 1 is up to date with all changes known to be in force on or before 08 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.