

Status: Point in time view as at 28/10/2016.

Changes to legislation: Water Industry Act 1991, SCHEDULE 1A is up to date with all changes known to be in force on or before 27 September 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

[^{F1}SCHEDULE 1A

Section 1A(3)

THE WATER SERVICES REGULATION AUTHORITY

Textual Amendments

- F1** Sch. 1A inserted (1.4.2006 except para. 11) by [Water Act 2003 \(c. 37\)](#), ss. 34(2), 105(3), [Sch. 1](#); [S.I. 2005/2714, art. 4\(a\)](#) (with [Sch. 2 para. 8](#)) (which said para. 11 was repealed (1.10.2006) by 2006 (c. 16), ss. 105(1)(2), 107, Sch. 11 para. 172, {Sch. 12}; [S.I. 2006/2541, art. 2](#))

Membership

- 1 (1) The Authority shall consist of a chairman, and at least two other members, appointed by the Secretary of State.
- (2) The Secretary of State shall consult—
- (a) the Assembly, before appointing any member; and
 - (b) the chairman, before appointing any other member.

Terms of appointment, remuneration, pensions etc

- 2 (1) Subject to this Schedule, the chairman and other members of the Authority shall hold and vacate office as such in accordance with the terms of their respective appointments.
- (2) Their terms of appointment shall be determined by the Secretary of State.

Terms of appointment, remuneration, pensions etc

- 3 (1) An appointment of a person to hold office as chairman or as one of the other members of the Authority shall be for a term not exceeding five years.
- (2) A person holding office as chairman or other member—
- (a) may resign that office by giving notice in writing to the Secretary of State; and
 - (b) may be removed from office by the Secretary of State on the ground of incapacity or misbehaviour.
- (3) The Secretary of State shall consult the Assembly before removing from office a person holding office as chairman or other member.
- (4) A previous appointment as chairman or other member does not affect a person's eligibility for appointment to either office.

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Terms of appointment, remuneration, pensions etc

- 4 (1) The Authority shall pay to its chairman and its other members such remuneration, and such travelling and other allowances, as may be determined by the Secretary of State.
- (2) The Authority shall, if required to do so by the Secretary of State—
- (a) pay such pension, allowances or gratuities as may be determined by the Secretary of State to or in respect of a person who is or has been the chairman or a member of the Authority; or
 - (b) make such payments as may be so determined towards provision for the payment of a pension, allowances or gratuities to or in respect of such a person.
- (3) If the Secretary of State determines that there are special circumstances which make it right for a person ceasing to hold office as chairman or other member of the Authority to receive compensation, the Authority shall pay to him a sum by way of compensation of such amount as may be determined by the Secretary of State.

Staff

- 5 The Authority may, with the approval of the Minister for the Civil Service as to numbers and terms and conditions of service, appoint such staff as it may determine.

Committees

- 6 (1) The Authority may establish committees and any committee of the Authority may establish sub-committees.
- (2) The members of a committee of the Authority may include persons who are not members of the Authority (and the members of a sub-committee may include persons who are not members of the committee or the Authority).

Proceedings etc

- 7 (1) The Authority may regulate its own procedure.
- (2) The validity of anything done by the Authority is not affected by a vacancy among its members or by a defect in the appointment of a member.

Proceedings etc

- 8 A document purporting to be duly executed under the seal of the Authority, or signed on its behalf, shall be received in evidence and, unless the contrary is proved, shall be taken to be so executed or signed.

Code of Practice

- 9 (1) The Authority shall prepare, and may revise, a code of practice governing the discharge by it of its functions.
- (2) The Authority shall, in exercising its functions, have regard to the provisions of the code.
- (3) In preparing or revising the code, the Authority shall consult—

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- (a) the Secretary of State;
 - (b) the Assembly;
 - (c) the Environment Agency;
 - [the NRBW;]
 - ^{F2}(ca) the Council;
 - (e) relevant undertakers;
 - [^{F3}(f) water supply licensees;
 - (fa) sewerage licensees; and]
 - (g) such other persons as the Authority considers appropriate.
- (4) The Authority shall publish in such manner as it considers appropriate the code as for the time being in force.

Textual Amendments

- F2** Sch. 1A para. 9(3)(ca) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 261** (with Sch. 7)
- F3** Sch. 1A para. 9(3)(f)(fa) substituted for Sch. 1A para. 9(3)(f) and word (1.4.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 121**; S.I. 2016/465, art. 2(m), Sch. 1 para. 1(bb) (with Sch. 2) (as amended (22.3.2017) by [S.I. 2017/462](#), art. 16)

Performance of functions

- 10 (1) Anything authorised or required to be done by the Authority may be done by—
- (a) any member or employee of the Authority who is authorised for that purpose by the Authority, whether generally or specially;
 - (b) any committee of the Authority which has been so authorised.
- (2) The Authority may not so authorise a committee whose members include any person who is not a member or employee of the Authority.
- [Sub-paragraph (1) is subject to provision in rules made under section 51 of the
- ^{F4}(3) Competition Act 1998 by virtue of paragraph 1A of Schedule 9 to that Act in respect of the exercise of a function under Part 1 of that Act.]

Textual Amendments

- F4** Sch. 1A para. 10(3) inserted (E.W.) (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), **Sch. 15 para. 6**; S.I. 2014/416, art. 2(1)(f) (with Sch.)

Payments to the Authority

- 11 The Secretary of State shall make payments out of money provided by Parliament to the Authority of such amounts, at such times and on such conditions (if any) as he considers appropriate.

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Supplementary powers

- 12 (1) The Authority has power to do anything which is calculated to facilitate, or is conducive or incidental to, the performance of its functions.
- (2) That power includes the formation of advisory bodies.]

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