



Water Industry Act 1991

1991 CHAPTER 56

PART V

FINANCIAL PROVISIONS

CHAPTER I

CHARGES

Metering

148 Restriction on charging for metering works.

- (1) Subject to subsections (2) to (4) below and section 177 below, where any meter to be used in determining the amount of any charges is installed by or at the request of any relevant undertaker then, notwithstanding the provisions of any enactment or of any agreement to the contrary between the undertaker and any other person, the undertaker shall bear—
- (a) the expenses of installing and connecting the meter;
 - (b) any expenses incurred in maintaining, repairing, disconnecting or removing the meter in accordance with any requirements of the undertaker; and
 - (c) any expenses incurred in carrying out any works for purposes connected with the installation and connection of the meter or with the maintenance, repair, disconnection or removal of the meter in accordance with any such requirements.

[^{F1}(1A) References in subsection (1) above to expenses include references to expenses incurred in meeting the needs of a disabled person.]

- (2) Subject to subsection (3) below, subsection (1) above shall not require any relevant undertaker to bear, or prevent any such undertaker from recovering from any other person—

Status: Point in time view as at 01/07/1992. This version of this provision has been superseded.

Changes to legislation: Water Industry Act 1991, Section 148 is up to date with all changes known to be in force on or before 30 June 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)

- (a) any expenses incurred for the purpose of enabling a condition imposed by virtue of subsection (2)(c) or (d) of section 47 above to be satisfied;
 - (b) any sums which it is entitled to recover in pursuance of any terms or conditions determined under section 56 above;
 - (c) any sums which it is entitled to recover from that person by virtue of section 64(3)(b) above;
 - (d) any expenses incurred in relation to a meter which is or is to be used in determining the amount of—
 - (i) any charges which are to be paid in connection with the carrying out of a sewerage undertaker’s functions under Chapter III of Part IV of this Act; or
 - (ii) any charges provision for which is contained in an agreement entered into in accordance with section 129 above;
 - (e) any expenses incurred in consequence of the exercise by the occupier of any premises of any option to be charged by the undertaker in relation to any premises by reference to volume rather than by reference to other matters.
- (3) For the purposes of subsection (2) above the expenses which an undertaker may require someone else to bear, or may recover from another, by virtue of that subsection shall not include any expenses incurred for the purpose of enabling conditions such as are mentioned in paragraph (a) of that subsection to be satisfied in a case in which the conditions could not have been imposed but for the exercise by the undertaker of its power by virtue of paragraph (a), (b), (d) or (e) of section 64(2) above to require the provision of a separate service pipe to any premises.
- (4) The occupier of any premises where any relevant undertaker installs or has installed a meter shall in all cases bear so much of the expenses referred to in subsection (1) above as is attributable to compliance with a request made by him in accordance with any regulations under section 149 below for the positioning, in a place other than that reasonably proposed by the undertaker, either of the meter or of any pipe or apparatus installed for the purpose of facilitating the use of the meter.
- [^{F2}(4A) Subsection (4) above is subject to any regulations made by virtue of section 149(2) (aa) below.]
- (5) Any dispute between a relevant undertaker and any other person (including another such undertaker)—
- (a) as to whether the undertaker or that other person should bear any expenses under this section; or
 - (b) as to the amount of any expenses to be borne by any person under this section, shall be referred to the arbitration of a single arbitrator appointed by agreement between the undertaker and that person or, in default of agreement, by the Director.

Textual Amendments

- F1** S. 148(1A) inserted (1.7.1992) by [Competition and Service \(Utilities\) Act 1992 \(c. 43\), s. 53\(2\)](#);
 Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I
- F2** S. 148(4A) inserted (1.7.1992) by [Competition and Service \(Utilities\) Act 1992 \(c. 43\), s. 53\(3\)](#);
 Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I

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