



Water Industry Act 1991

1991 CHAPTER 56

PART II

APPOINTMENT AND REGULATION OF UNDERTAKERS

[^{F1}CHAPTER 1A

[^{F1}WATER SUPPLY LICENCES AND SEWERAGE LICENCES]

Licence conditions

[^{F1}17G [^{F2}Licence conditions]

- (1) [^{F3}A licence under this Chapter] may include—
 - (a) such conditions as appear to ^{F4}... the Authority to be requisite or expedient having regard to the duties imposed on ^{F5}... it by Part 1 of this Act;
 - (b) conditions requiring the rendering to [^{F6}the Authority] of a payment on the grant of a [^{F7}licence under this Chapter], or payments while such a licence is in force, or both, of such amount or amounts as may be determined by or under the conditions.
- (2) Conditions may be included by virtue of subsection (1)(a) above in a water supply licence whether or not they are connected with the supply of water or the introduction of water into a water undertaker's supply system.

[Conditions may be included by virtue of subsection (1)(a) in a sewerage licence ^{F8}(2A) whether or not they are connected with—

 - (a) effectual dealing with the contents of sewers, or
 - (b) the use of the sewerage system of a sewerage undertaker.]
- (3) Conditions included in a [^{F9}licence under this Chapter] may—

Status: Point in time view as at 12/10/2018.

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- (a) require the holder of the licence to comply with any direction given by a specified relevant person as to specified matters or matters which are of a specified description;
 - (b) require the holder of the licence to do or not to do specified things or things which are of a specified description, except in so far as a specified relevant person consents to the holder's not doing or doing them; and
 - (c) provide for the reference to and determination by a specified relevant person of specified questions, or questions which are of a specified description, which arise under or in connection with the licence.
- (4) For the purposes of subsection (3) above—
- (a) the following are relevant persons—
 - (i) the Secretary of State;
 - (ii) the Authority;
 - (iii) ^{F10}so far as subsection (3) applies to water supply licences,] the Assembly;
 - (iv) the Environment Agency; ^{F11}...
[the NRBW; and]
 - ^{F12}(v)
 - (b) “specified” means specified in the licence in question.
- (5) Conditions included in a ^{F13}licence under this Chapter] may contain provision for the conditions to have effect, cease to have effect or be modified at such times, in such manner and in such circumstances as may be specified in or determined in accordance with the conditions.
- (6) Any such condition as is referred to in subsection (5) above shall have effect in addition to the provision made by this Chapter with respect to the modification of the conditions of a licence.
- (7) Any sums received by ^{F14}the Authority] by virtue of this section shall be paid into the Consolidated Fund.]

Textual Amendments

- F1** Pt. 2 Ch. 1A inserted (1.4.2004 for specified provisions and purposes and 1.8.2005 for further specified provisions and purposes and 1.10.2005 for further specified provisions and 1.12.2005 otherwise) by [Water Act 2003 \(c. 37\)](#), ss. 56, 105(3), [Sch. 4 para. 2](#); S.I. 2004/641, [art. 3\(l\)](#), Sch. 1 (with art. 6, Sch. 3); S.I. 2005/968, [art. 3\(b\)](#) (with savings in art. 4, Sch. 1, 2); S.I. 2005/2714, [arts. 2\(h\)](#), [3\(a\)](#) (with Sch. para. 5)
- F2** S. 17G title substituted (1.1.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), [Sch. 7 para. 16\(2\)](#); S.I. 2015/1938, [art. 3\(f\)\(vii\)](#)
- F3** Words in s. 17G(1) substituted (1.1.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), [Sch. 7 para. 16\(3\)\(a\)](#); S.I. 2015/1938, [art. 3\(f\)\(vii\)](#)
- F4** Words in s. 17G(1)(a) repealed (1.1.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), [Sch. 7 para. 16\(3\)\(b\)](#); S.I. 2015/1938, [art. 3\(f\)\(vii\)](#)
- F5** Words in s. 17G(1)(a) repealed (1.1.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), [Sch. 7 para. 16\(3\)\(c\)](#); S.I. 2015/1938, [art. 3\(f\)\(vii\)](#)
- F6** Words in s. 17G(1)(b) substituted (1.1.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), [Sch. 7 para. 16\(3\)\(d\)](#); S.I. 2015/1938, [art. 3\(f\)\(vii\)](#)
- F7** Words in s. 17G(1)(b) substituted (1.1.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), [Sch. 7 para. 16\(3\)\(e\)](#); S.I. 2015/1938, [art. 3\(f\)\(vii\)](#)

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- F8** S. 17G(2A) inserted (1.1.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 16(4)**; S.I. 2015/1938, art. 3(f)(vii)
- F9** Words in s. 17G(3) substituted (1.1.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 16(5)**; S.I. 2015/1938, art. 3(f)(vii)
- F10** Words in s. 17G(4)(a)(iii) inserted (1.1.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 16(6)**; S.I. 2015/1938, art. 3(f)(vii)
- F11** Word in s. 17G(4)(a)(iv) omitted (1.4.2013) by virtue of The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 228(2)** (with Sch. 7)
- F12** S. 17G(4)(a)(v) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 228(3)** (with Sch. 7)
- F13** Words in s. 17G(5) substituted (1.1.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 16(7)**; S.I. 2015/1938, art. 3(f)(vii)
- F14** Words in s. 17G(7) substituted (1.1.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 16(8)**; S.I. 2015/1938, art. 3(f)(vii)

Modifications etc. (not altering text)

- C1** Pt. 2 Ch. 1A 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. 3(1)** (with reg. 1(1)(c))
- C2** Pt. 2 Ch. 1A 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. 5(1)** (with reg. 1(1)(c))
- C3** Pt. 2 Ch. 1A 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. 4** (with reg. 1(1)(c))
- C4** Pt. 2 Ch. 1A modified (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. 3(2)** (with reg. 1(1)(c))

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