

*Status: Point in time view as at 01/04/2014.*

*Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013. Cross Heading: The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)). (See end of Document for details)*

## SCHEDULES

### SCHEDULE 14

#### REGULATORS: USE OF POWERS UNDER THE 1998 ACT

*The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21))*

27 The Water and Sewerage Services (Northern Ireland) Order 2006 is amended as follows.

#### Commencement Information

**II** Sch. 14 para. 27 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

- 28 (1) Article 31 (exceptions to duty to enforce) is amended as follows.
- (2) In paragraph (1), omit sub-paragraph (d) and the “or” preceding it.
- (3) After that paragraph insert—
- “(1A) Before making an enforcement order or confirming a provisional enforcement order under Article 30, the Authority shall consider whether it would be more appropriate to proceed under the Competition Act 1998.
- (1B) The Authority shall not make an enforcement order or confirm a provisional enforcement order under that Article if it considers that it would be more appropriate to proceed under the Competition Act 1998.”
- (4) In paragraph (3)—
- (a) in the words before sub-paragraph (a)—
- (i) for “, (c) or (d)” substitute “ or (c) ”, and
- (ii) after “paragraph (1)” insert “ or decides that it would be more appropriate to proceed under the Competition Act 1998 ”, and
- (b) in sub-paragraph (a), after “so satisfied” insert “ or has so decided ”.

#### Commencement Information

**12** Sch. 14 para. 28 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

- 29 In article 35 (financial penalties), for paragraph (11) substitute—
- “(11) Before imposing a penalty under this Article the Authority shall consider whether it would be more appropriate to proceed under the Competition Act 1998.
- (12) The Authority shall not impose a penalty under this Article if it considers that it would be more appropriate to proceed under the Competition Act 1998.”

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**Commencement Information**

**I3** Sch. 14 para. 29 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

**Status:**

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**Changes to legislation:**

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