



Water Industry Act 1991

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WATER INDUSTRY ACT 1991

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Water Industry Act 1991

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Staff

- 2 (1) The Director may, with the approval of the Treasury...

Expenses of the Director and his staff

- 3 There shall be paid out of money provided by Parliament—...

Official seal

- 4 The Director shall have an official seal for the authentication...

Documentary evidence

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Membership

- 1 (1) The Authority shall consist of a chairman, and at...

Terms of appointment, remuneration, pensions etc

- 2 (1) Subject to this Schedule, the chairman and other members...

Terms of appointment, remuneration, pensions etc

- 3 (1) An appointment of a person to hold office as...

Terms of appointment, remuneration, pensions etc

- 4 (1) The Authority shall pay to its chairman and its...

Staff

- 5 The Authority may, with the approval of the Minister for...

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Committees

- 6 (1) The Authority may establish committees and any committee of...

Proceedings etc

- 7 (1) The Authority may regulate its own procedure.

Proceedings etc

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- 9 (1) The Authority shall prepare, and may revise, a code...

Performance of functions

- 10 (1) Anything authorised or required to be done by the...

Payments to the Authority

- 11 The Secretary of State shall make payments out of money...

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- 12 (1) The Authority has power to do anything which is...

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Transfers by scheme

- 3 (1) A scheme under this Schedule for the transfer of...

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- 4 (1) Where a scheme under this Schedule is made in...

Exclusion of transfer of licence

- 4A Where a scheme under this Schedule is made in the...

Supplemental provisions of schemes

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Duties of existing appointee after the scheme comes into force

- 6 (1) A scheme under this Schedule may provide for the...

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General powers of special administrator

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5 (1) Section 15 of the 1986 Act (power to deal...

Duties of special administrator

6 (1) Section 17 of the 1986 Act (duties of administrator),...

Discharge of order

7 (1) Section 18 of the 1986 Act (discharge and variation...

Notice of making of order

8 In section 21(2) of the 1986 Act (notice of order...

Statement of proposals

9 In section 23 of the 1986 Act (statement of proposals),...

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10 (1) Section 27 of the 1986 Act (protection of interests...

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General adaptations and saving

11 (1) Subject to the preceding provisions of this Schedule, references...

Interpretation

12 (1) In this Schedule “the 1986 Act” means the Insolvency...

SCHEDULE 3A — The Consumer Council for Water

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Membership of Council

- 1 (1) The Council shall consist of— (a) a chairman appointed...

Membership of Council

- 2 (1) A person holding office as chairman or other member...

Terms of appointment, remuneration, pensions etc

- 3 The Council shall pay to the chairman and other members...

Terms of appointment, remuneration, pensions etc

- 4 (1) If the Secretary of State so determines in the...

Members appointed by Assembly

- 5 In relation to any member of the Council appointed by...

Staff

- 6 (1) The Council shall, with the approval of the Secretary...

Annual reports

- 7 (1) As soon as practicable after the end of each...

Financial provisions and accounts

- 8 (1) It shall be the duty of the Council to...

Financial provisions and accounts

- 9 (1) The Council shall prepare, in respect of each financial...

Financial provisions and accounts

- 10 The Secretary of State and the Assembly shall pay to...

Regional committees

- 11 (1) The Council shall not establish or abolish a regional...

Regional committees

- 12 (1) A regional committee of the Council shall consist of—...

Regional committees

- 13 (1) If the appropriate authority so determines in the case...

Regional committees

- 14 In paragraphs 11 to 13 above the “ appropriate authority...

Other committees

- 15 (1) The Council may establish committees other than regional committees...

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Other committees

16 (1) If the Secretary of State so determines in the...

Performance of functions of the Council

17 Anything authorised or required to be done by the Council...

Performance of functions of the Council

18 The validity of anything done by the Council is not...

Supplementary powers

19 (1) The Council shall have power to do anything which...

First financial year of the Council

20 (1) If the period beginning with the day on which...

Compensation for members of customer service committees

21 The Authority may pay to any person who immediately before...

SCHEDULE 4 —

Sub-committees

1 A customer service committee may, with the approval of the...

Remuneration, pensions etc. of the chairman of a customer service committee

2 (1) There shall be paid to the chairman of a...

Expenses of other members of a customer service committee etc.

3 Subject to paragraph 2 above, neither the members of a...

Staff

4 (1) The Director may, with the approval of the Treasury...

Financial provisions

5 (1) The following shall be paid by the Director out...

SCHEDULE 4ZA — Application of provisions of Enterprise Act 2002 to mergers of water enterprises

1 Part 3 of the 2002 Act (and any other provisions...

2 The modifications made by virtue of paragraph 1 above shall...

2A Where a reference is made to the chair of the...

3 (1) The first questions to be decided by the CMA...

4 (1) In deciding, on a merger reference under section 32(a)...

5 (1) No enforcement action shall be taken on a merger...

6 If, on a merger reference under section 32(b) of this...

7 (1) For the purposes of this Schedule a benefit is...

8 In this Schedule— “ customers ”, “ goods ”, “ ...

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Schedule 4A — Premises that are not to be disconnected for non-payment of charges

- 1 (1) Any dwelling which is occupied by a person as...
- 2 (1) Any house in multiple occupation which does not constitute...
- 3 (1) Accommodation for the elderly in which a person has...
- 4 A hospital as defined by section 275 of the National...
- 5 Premises used for the provision of medical services by a...
- 6 Premises used for the provision of dental services by a...
- 7 Premises not falling within paragraph 5 or 6 above which...
- 8 (1) A care home or independent hospital.
- 9 A children's home within the meaning of the Care Standards...
- 10 A school within the meaning of the Education Act 1996....
- 10A A 16 to 19 Academy.
- 11 (1) Premises used by an institution within the further education...
- 12 (1) Premises in England which are used for the provision...
- 13 (1) A prison or removal centre .
- 14 Premises occupied for the purposes of a police force.
- 15 Premises occupied for the purposes of a fire and rescue...
- 16 Premises occupied for the purposes of the provision of an...

SCHEDULE 5 — PROCEDURE FOR ORDERS RELATING TO PRESSURE AND CONSTANCY OF SUPPLY

Applications for orders

- 1 (1) Where the Director or a water undertaker applies to...

Supply of copies of draft orders

- 2 The applicant for an order under section 65(5) of this...

Modifications of proposals

- 3 (1) On an application for an order under section 65(5)...

Consideration of objections etc.

- 4 Where an application for an order to which this Schedule...

SCHEDULE 6 — SUPPLEMENTAL PROVISIONS RELATING TO RIGHTS OF ENTRY

Part I — RIGHTS REQUIRING NOTICE FOR ENTRY TO NON-BUSINESS PREMISES

Notice of entry

- 1 (1) Where this Part of this Schedule applies to any...

Warrants to exercise right

- 2 (1) Subject to sub-paragraph (3) below, if it is shown...

Supplementary power of person making entry

- 3 Any person entitled to enter any premises by virtue of...

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Obstruction of person exercising right

- 4 Any person who wilfully obstructs any person upon whom a...

Duty of persons exercising rights to maintain confidentiality

- 5 (1) Without prejudice to section 206 of this Act and...
Part II — OTHER RIGHTS OF ENTRY AND RELATED POWERS

Notice of entry

- 6 (1) Without prejudice to any power exercisable by virtue of...

Warrant to exercise right or power

- 7 (1) If it is shown to the satisfaction of a...

Manner of exercise of right or power

- 8 A person designated as the person who may exercise any...

Supplementary powers of person making entry etc.

- 9 A person authorised to enter any premises by virtue of...

Duty to secure premises

- 10 A person who enters any premises in the exercise of...

Compensation

- 11 (1) Where any person exercises any right or power to...

Obstruction of person exercising right or power

- 12 A person who intentionally obstructs another person acting in the...

Interpretation of Part II

- 13 (1) In this Part of this Schedule “relevant authority”, in...

SCHEDULE 7 — PRE-1985 FLUORIDATION SCHEMES

Operation of pre-1985 schemes

- 1 (1) Where in pursuance of any such arrangements entered into...

Supplies by other undertakers and revocation or variation of scheme

- 2 (1) Where a water undertaker is operating a fluoridation scheme...

Publicity and consultation

- 3 (1) Section 89 of this Act (including the power of...

SCHEDULE 8 — PRE-1989 ACT TRANSITIONAL AUTHORITY FOR TRADE EFFLUENT DISCHARGES ETC.

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Trade effluent agreements

- 1 Nothing in Chapter III of Part IV of this Act...

Authorisations having effect as deemed consents under the Control of Pollution Act 1974

- 2 (1) Where, by virtue of section 43(2) of the Control...

Appeals in respect of consents under paragraph 2

- 3 (1) A person on whom notice is served in pursuance...

Determinations of disputes as to transitional matters

- 4 (1) Any dispute in so far as it—

Regulations as to residue of agreements

- 5 The Secretary of State may by regulations make provisions in...

SCHEDULE 9 — MODIFICATION OF COMPENSATION PROVISIONS ETC.
IN RELATION TO THE CREATION OF NEW RIGHTS

Compensation enactments

- 1 Subject to the following provisions of this Schedule, the enactments...

Adaptation of the Compulsory Purchase Act 1965

- 2 The Compulsory Purchase Act 1965 (in the following provisions of...

Section 7 of the 1965 Act

- 3 For section 7 of the 1965 Act (measure of compensation)...

Section 8 of the 1965 Act

- 4 For subsection (1) of section 8 of the 1965 Act...

Effect of deed poll

- 5 The following provisions of the 1965 Act (being provisions stating...

Section 11 of the 1965 Act

- 6 Section 11 of the 1965 Act (powers of entry) shall...

Section 20 of the 1965 Act

- 7 Section 20 of the 1965 Act (protection for interests of...

Section 22 of the 1965 Act

- 8 Section 22 of the 1965 Act (protection of acquiring authority's...

SCHEDULE 10 — PROCEDURE RELATING TO BYELAWS UNDER SECTION
157

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Confirmation of byelaws

- 1 (1) No byelaw made by a relevant undertaker under section...

Confirmation with or without modifications

- 2 (1) The Secretary of State, with or without a local...

Commencement of byelaw

- 3 (1) The Secretary of State may fix the date on...

Availability of confirmed byelaws

- 4 (1) Every byelaw made by a relevant undertaker and confirmed...

Revocation of byelaws

- 5 Without prejudice to subsection (5) of section 157 of this...

Proof of byelaws etc.

- 6 The production of a printed copy of a byelaw purporting...

SCHEDULE 11 — ORDERS CONFERRING COMPULSORY WORKS POWERS

Applications for orders

- 1 (1) Where a water undertaker applies to the Secretary of...

Supply of copies of draft orders

- 2 A water undertaker applying for a compulsory works order shall...

Powers on an application

- 3 (1) On an application for a compulsory works order, the...

Consideration of objections etc.

- 4 (1) If, where an application for a compulsory works order...

Notice after making of order

- 5 (1) As soon as practicable after a compulsory works order...

Compulsory acquisition provisions

- 6 (1) Without prejudice to the provisions of Schedule 14 to...

Compensation in certain cases of compulsory acquisition

- 7 Where— (a) in connection with any engineering or building operations...

Compensation in respect of powers other than acquisition powers

- 8 (1) If the value of any interest in any relevant...

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Protection of public undertakings

- 9 The provisions of section 186 of this Act and of...

Interpretation

- 10 In this Schedule— “bridleway” and “footpath” have the same meanings...

SCHEDULE 12 — COMPENSATION ETC. IN RESPECT OF PIPE-LAYING AND OTHER WORKS POWERS

Compensation in respect of street works powers

- 1 (1) This paragraph applies, in relation to a relevant undertaker,...

Compensation in respect of pipe-laying works in private land

- 2 (1) If the value of any interest in any relevant...

Assessment of compensation under paragraph 2

- 3 (1) Any question of disputed compensation under paragraph 2 above...

Compensation in respect of sewerage works etc.

- 4 (1) Subject to the following provisions of this paragraph, a...

Compensation in respect of metering works

- 5 (1) Without prejudice to section 148 of this Act or...

Compensation in respect of discharges for works purposes

- 6 (1) It shall be the duty of every water undertaker—...

SCHEDULE 13 — PROTECTIVE PROVISIONS IN RESPECT OF CERTAIN UNDERTAKINGS

Part I — PROVISIONS APPLYING GENERALLY

General provisions protecting undertakings

- 1 (1) Nothing in this Act conferring power on a relevant...

Protection for statutory powers and jurisdiction

- 2 Nothing in any provision of this Act conferring power on...

Special protection for certain undertakings in respect of street works

- 3 (1) Subject to the following provisions of this paragraph and...

Protection for telecommunication systems

- 4 Paragraph 23 of Schedule 2 to the Telecommunications Act 1984...

Part II — FURTHER PROTECTIVE PROVISIONS IN RESPECT OF SEWERAGE POWERS

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Protection for dock undertakers

- 5 (1) Subject to the provisions of this paragraph, nothing in...

Protection for airports, railways etc.

- 6 (1) Subject to the provisions of this paragraph, nothing in...

Saving for Part I and other powers

- 7 The provisions of this Part of this Schedule are without...

SCHEDULE 14 — MINERAL RIGHTS

Acquisition of mineral rights

- 1 (1) This paragraph applies in each of the following cases,...

Notice required for the working of underlying mines

- 2 (1) If the owner of any mines or minerals underlying...

Mining communications

- 3 (1) If the working of any mines or minerals is...

Compensation relating to severance

- 4 (1) Where mines or minerals underlying any part of a...

Powers of entry

- 5 (1) Any person designated in writing for the purpose by...

No exemption for injury to mines and minerals

- 6 Nothing in any provision of this Act or of any...

Interpretation

- 7 (1) In this Schedule— “conveyance” has the same meaning as...

SCHEDULE 15 — DISCLOSURE OF INFORMATION

Part I — PERSONS IN RESPECT OF WHOSE FUNCTIONS
DISCLOSURE MAY BE MADE

Part II — ENACTMENTS ETC. IN RESPECT OF WHICH
DISCLOSURE MAY BE MADE

Table of Derivations —

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