

*Status: Point in time view as at 01/04/2004.*

*Changes to legislation: Water Industry Act 1991, Schedule 4A is up to date with all changes known to be in force on or before 18 July 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

### [<sup>F1</sup>SCHEDULE 4A

#### PREMISES THAT ARE NOT TO BE DISCONNECTED FOR NON-PAYMENT OF CHARGES

##### Textual Amendments

**F1** Sch. 4A inserted (30.6.1999) by 1999 c. 9, ss. 1(2), 17(2), Sch. 1

- 1 (1) Any dwelling which is occupied by a person as his only or principal home.
- (2) In this paragraph “dwelling” means—
  - (a) a private dwelling-house (which may be a building or part of a building),
  - (b) a caravan within the meaning of Part I of the <sup>M1</sup>Caravan Sites and Control of Development Act 1960 (disregarding the amendment made by section 13(2) of the <sup>M2</sup>Caravan Sites Act 1968), or
  - (c) a boat or similar structure designed or adapted for use as a place of permanent habitation.

##### Marginal Citations

**M1** 1960 c.62.

**M2** 1968 c.52.

- 2 (1) Any house in multiple occupation which does not constitute a dwelling within the meaning of paragraph 1 above and in which any person has his only or principal home.
- (2) In this paragraph “house in multiple occupation” has the meaning given by section 345(1) of the <sup>M3</sup>Housing Act 1985.

##### Marginal Citations

**M3** 1985 c.68.

- 3 (1) Accommodation for the elderly in which a person has his only or principal home.
- (2) In this paragraph “accommodation for the elderly” means residential accommodation to which sub-paragraph (3) or (4) below applies, but which is not a dwelling within the meaning of paragraph 1 above or a house in multiple occupation within the meaning of paragraph 2 above.
- (3) This sub-paragraph applies to residential accommodation—

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- (a) which is particularly suitable, having regard to its location, size, design, heating systems and other features, for occupation by elderly persons,
  - (b) which it is the practice of the landlord to let for occupation by persons aged 60 or more, and
  - (c) where the services of a warden are provided.
- (4) This sub-paragraph applies to any building or part of a building designed or adapted for use as residential accommodation for elderly persons.
- 4 A hospital within the meaning of section 11 of the <sup>M4</sup>Public Health (Control of Disease) Act 1984.

#### Marginal Citations

**M4** 1984 c.22.

- 5 Premises used for the provision of medical services by a registered medical practitioner.
- 6 Premises used for the provision of dental services by a person who under the <sup>M5</sup>Dentists Act 1984 is permitted to practise dentistry.

#### Marginal Citations

**M5** 1984 c.24.

- [<sup>F27</sup> Premises not falling within paragraph 5 or 6 above which are used for the provision of primary medical services or primary dental services under Part 1 of the National Health Service Act 1977.]

#### Textual Amendments

**F2** Sch. 4A para. 7 substituted (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 184, 199, [Sch. 11 para. 58](#); S.I. 2004/288, [art. 5\(2\)\(v\)](#) (as amended by S.I. 2004/866, S.I. 2004/1009 and S.I. 2005/2925); S.I. 2004/480, [art. 4\(2\)\(z\)](#) (as amended by S.I. 2006/345)

- [<sup>F38</sup> (1) A care home or independent hospital.
- (2) In this paragraph—  
 “care home” means—  
 (a) a care home within the meaning of the Care Standards Act 2000;  
 (b) a building or part of a building in which residential accommodation is provided under section 21 of the <sup>M6</sup>National Assistance Act 1948;  
 “independent hospital” means an independent hospital within the meaning of the Care Standards Act 2000.]

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#### Textual Amendments

- F3** Sch. 4A paras. 8, 9 substituted (1.4.2002) by 2000 c. 14, s. 116, Sch. 4 para. 18; S.I. 2001/4150, art. 3(3)(a) (subject to transitional provisions in art. 4 and S.I. 2002/1493, art. 4); S.I. 2002/920, art. 3(3)(d) (with transitional provisions and savings in arts. 3(4)-(10), Schs. 1-3)

#### Marginal Citations

- M6** 1948 c. 29.

- <sup>F4</sup>g A children’s home within the meaning of the Care Standards Act 2000.

#### Textual Amendments

- F4** Sch. 4A paras. 8, 9 substituted (1.4.2002) by 2000 c. 14, s. 116, Sch. 4 para. 18; S.I. 2001/4150, art. 3(3)(a) (subject to transitional provisions in art. 4 and S.I. 2002/1493, art. 4); S.I. 2002/920, art. 3(3)(d) (subject to transitional provisions and savings in arts. 3(4)-(10), Schs. 1-3)

- 10 A school within the meaning of the <sup>M7</sup>Education Act 1996.

#### Marginal Citations

- M7** 1996 c.56.

- 11 (1) Premises used by an institution within the further education sector or an institution within the higher education sector for, or in connection with, the provision of education.
- (2) In this paragraph the references to an institution within the further education sector or within the higher education sector are to be construed in accordance with section 91 of the <sup>M8</sup>Further and Higher Education Act 1992.

#### Marginal Citations

- M8** 1992 c.13.

- 12 Premises used for the provision of day care for children by a person who is registered under [<sup>F5</sup>PartXA] of the Children Act 1989 in respect of the premises.

#### Textual Amendments

- F5** Words in Sch. 4A para. 12 substituted (2.7.2001 for E. and 1.4.2002 for W.) by 2000 c. 14, s. 116, Sch. 4 para. 19; S.I. 2001/2041, art. 2(1)(d)(i) (with transitional provisions and savings in art. 3, Sch.); S.I. 2002/920, art. 3(3)(d) (subject to transitional provisions and savings in art. 3(4)-(10), Sch. 1-3)

- 13 (1) A prison or [<sup>F6</sup>removal centre] .
- (2) In this paragraph “prison” means—
- (a) any prison, young offender institution or remand centre which is under the general superintendence of, or is provided by, the Secretary of State under

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the <sup>M9</sup>Prison Act 1952, including a contracted out prison within the meaning of Part IV of the <sup>M10</sup>Criminal Justice Act 1991,

- (b) any secure training centre within the meaning of section 43(1)(d) of the <sup>M11</sup>Prison Act 1952, or
- (c) a naval, military or air force prison.

(3) In this paragraph “[<sup>F6</sup>removal centre]” means any premises which are used solely for detaining persons under the <sup>M12</sup>Immigration Act 1971 or the [<sup>F7</sup>Nationality, Immigration and Asylum Act 2002] , but which are not a part of a prison.

#### Textual Amendments

- F6** Words in Sch. 4A para. 13 substituted (10.2.2003) by Nationality, Immigration and Asylum Act 2002 (c. 41), ss. 66(2)(3)(p), 162(2); S.I. 2003/1, art. 2, Sch.
- F7** Words in Sch. 4A para. 13(3) substituted (4.4.2003) by The Nationality, Immigration and Asylum Act 2002 (Consequential and Incidental Provisions) Order 2003 (S.I. 2003/1016), art. 3, Sch. para. 5

#### Marginal Citations

- M9** 1952 c.52.  
**M10** 1991 c.53.  
**M11** 1952 c.52.  
**M12** 1971 c.77.

14 Premises occupied for the purposes of a police force.

15 Premises occupied for the purposes of a fire brigade maintained in pursuance of the <sup>M13</sup>Fire Services Act 1947.

#### Marginal Citations

- M13** 1947 c.41.

16 Premises occupied for the purposes of the provision of an ambulance service by a National Health Service trust established under Part I of the <sup>M14</sup>National Health Service and Community Care Act 1990 [<sup>F8</sup>or by an NHS foundation trust] .]

#### Textual Amendments

- F8** Words in Sch. 4A para. 16 inserted (1.4.2004) by Health and Social Care (Community Health and Standards) Act 2003 (c. 43), ss. 34, 119, Sch. 4 para. 90; S.I. 2004/759, art. 2

#### Marginal Citations

- M14** 1990 c.19.

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