



# Water Industry Act 1991

## 1991 CHAPTER 56

### PART II

#### APPOINTMENT AND REGULATION OF UNDERTAKERS

##### CHAPTER I

##### APPOINTMENTS

##### *Making of appointments*

#### **10 Transitional provision with respect to replacement appointments.**

[(1)] Schedule 2 to this Act shall have effect for enabling provision to be made with respect to cases in which a company is replaced by another as a relevant undertaker by an appointment or variation under this Chapter.

<sup>F1</sup>[(2) Subsections (3) [<sup>F2</sup>to (4)] below apply where, by such an appointment or variation, one company (“the new undertaker”) is to replace another company as a relevant undertaker, but the appointment or variation has not come into force.

(3) The following provisions of this Act shall (except where they are inapplicable to the kind of undertaker in question) apply in relation to the new undertaker as if the appointment or variation had come into force—

- (a) sections 18 to 24 and Schedule 3;
- (b) sections 32 to 35;
- (c) section 155 and Schedule 9;
- (d) sections 156, 158 to 161 and 163 to 167 and Schedule 11;
- (e) sections 168 to 171, 173, 174, 178 to 180 and Schedule 12;
- (f) sections 181 to 183 and Schedule 13;
- (g) sections 184 to 188 and Schedule 14;
- (h) sections 189 to 192, 197 to 200, 202, 203, 206, 208, 209, 211, 212 and 217.

*Status: Point in time view as at 01/11/2016. This version of this provision has been superseded.*

*Changes to legislation: Water Industry Act 1991, Section 10 is up to date with all changes known to be in force on or before 20 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)*

[ To the extent that charging rules issued under section 144ZA relate to charges imposed<sup>F3</sup>(3A) or security required by a relevant undertaker under section 185, those rules are to apply in relation to the new undertaker as if the appointment or variation had come into force.]

- (4) Such of the conditions imposed on the new undertaker under section 11 below as the Director may specify in a written notice given by him to the undertaker shall have effect, in relation to the operation of any provision mentioned in subsection (3) above before the appointment or variation comes into force, as if the appointment or variation had come into force.
- (5) The Secretary of State may by regulations amend subsection (3) above by adding to, removing or modifying references to provisions of this Act.]

#### Textual Amendments

- F1** S. 10(2)-(5) added (1.7.1992) by [Competition and Service \(Utilities\) Act 1992 \(c. 43\), s. 42](#); Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I
- F2** Words in s. 10(2) substituted (1.11.2016) by [Water Act 2014 \(c. 21\), s. 94\(3\), Sch. 7 para. 7\(2\)](#); S.I. 2016/1007, art. 2(h)(iii)
- F3** S. 10(3A) inserted (1.11.2016) by [Water Act 2014 \(c. 21\), s. 94\(3\), Sch. 7 para. 7\(3\)](#); S.I. 2016/1007, art. 2(h)(iii)

#### Modifications etc. (not altering text)

- C1** S. 10 renumbered as subsection (1) of s. 10 (1.7.1992) by [Competition and Service \(Utilities\) Act 1992 \(c. 43\), s.42](#); Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt. I

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