



Water Industry Act 1991

1991 CHAPTER 56

PART V

FINANCIAL PROVISIONS

CHAPTER I

CHARGES

Manner of fixing charges

143 Charges schemes

- (1) A relevant undertaker may make a scheme (“a charges scheme”) which does any one or more of the following, that is to say—
- (a) fixes the charges to be paid for any services provided by the undertaker in the course of carrying out its functions;
 - (b) in the case of a sewerage undertaker, requires such charges as may be fixed by the scheme to be paid to the undertaker where, in the circumstances set out in the scheme—
 - (i) a notice containing an application for a consent is served on the undertaker under section 119 above;
 - (ii) such a consent as is necessary for the purposes of Chapter III of Part IV of this Act is given by the undertaker; or
 - (iii) a discharge is made in pursuance of such a consent;
- and
- (c) makes provision with respect to the times and methods of payment of the charges fixed by the scheme.
- (2) The persons who may be required by a charges scheme to pay any charge fixed by virtue of subsection (1)(b) above shall be the person who serves the notice, the person to whom the consent is given or, as the case may be, any person who makes a discharge

Status: This is the original version (as it was originally enacted).

in pursuance of the consent at any time during the period to which, in accordance with the scheme, the charge relates.

(3) A charges scheme which requires the payment of charges where a discharge has been made in pursuance of such a consent as is mentioned in subsection (1)(b) above may impose—

- (a) a single charge in respect of the whole period for which the consent is in force;
- (b) separate charges in respect of different parts of that period; or
- (c) both such a single charge and such separate charges.

(4) A charges scheme may—

- (a) make different provision for different cases, including different provision in relation to different circumstances or localities; and
- (b) contain supplemental, consequential and transitional provision for the purposes of the scheme;

and such a scheme may revoke or amend a previous charges scheme.

(5) Nothing in any charges scheme shall affect—

- (a) any power of a relevant undertaker to enter into such an agreement with any person in any particular case as determines the charges to be made for the services provided to that person by the undertaker; or
- (b) the power of a sewerage undertaker to enter into any agreement under section 129 above on terms that provide for the making of payments to the undertaker.