



Water Industry Act 1991

1991 CHAPTER 56

PART II

APPOINTMENT AND REGULATION OF UNDERTAKERS

[^{F1}CHAPTER 1A

LICENSING OF WATER SUPPLIERS

Granting of licences

VALID FROM 01/04/2004

[^{F1}17A Licensing of water suppliers

- (1) Subject to the following provisions of this Chapter—
 - (a) the Secretary of State; or
 - (b) with the consent of or in accordance with a general authorisation given by the Secretary of State (after consulting the Assembly), the Authority, may grant to a company a licence (a “water supply licence”) giving it the retail authorisation referred to in subsection (2) below, or both that and the supplementary authorisation referred to in subsection (5) below.
- (2) The retail authorisation is an authorisation to the company to use a water undertaker’s supply system for the purpose of supplying water to the premises of customers of the company (subject to subsection (3) below) in accordance with Chapter 2A of Part 3 of this Act.
- (3) The following requirements must be satisfied in relation to each of the premises supplied by the company—

Status: Point in time view as at 01/07/1992. This version of this provision is not valid for this point in time.

Changes to legislation: Water Industry Act 1991, Section 17A is up to date with all changes known to be in force on or before 05 August 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)

- (a) the requirement that the premises are not household premises (as defined in section 17C below);
 - (b) the threshold requirement (construed in accordance with section 17D below); and
 - (c) the requirement that the premises are not being supplied with water by another company pursuant to a water supply licence,
- and those requirements shall be enforceable under section 18 below by the Authority.
- (4) A water supply licence which gives a company only the retail authorisation is referred to in this Chapter as a “retail licence”.
 - (5) The supplementary authorisation is an authorisation to the company to introduce water into a water undertaker’s supply system, by means of which any particular supply of water in accordance with the retail authorisation is to take place, in connection with that supply and in accordance with Chapter 2A of Part 3 of this Act.
 - (6) A water supply licence which gives a company also the supplementary authorisation is referred to in this Chapter as a “combined licence”.
 - (7) Before granting a combined licence—
 - (a) the Secretary of State shall consult the Assembly; and
 - (b) the Authority shall consult the Secretary of State and the Assembly.
 - (8) A water supply licence shall not be granted to a company unless—
 - (a) it is a limited company; and
 - (b) it is not a relevant undertaker.
 - (9) The Authority may, with the approval of the Secretary of State, issue guidance as to the factors which are, or are not, to be taken into account in determining the extent of any premises for the purposes of subsection (3) above.
 - (10) Before giving his approval to any guidance issued under subsection (9) above, the Secretary of State shall consult the Assembly.]

Textual Amendments

- F1** Pt. 2 Ch. 1A inserted (1.4.2004 for specified provisions and purposes and 1.8.2005 for further specified provisions and purposes and 1.10.2005 for further specified provisions and 1.12.2005 otherwise) by [Water Act 2003 \(c. 37\)](#), ss. 56, 105(3), [Sch. 4 para. 2](#); S.I. 2004/641, [art. 3\(1\)](#), [Sch. 1](#) (with [art. 6](#), [Sch. 3](#)); S.I. 2005/968, [art. 3\(b\)](#) (with savings in [art. 4](#), [Sch. 1](#), 2); S.I. 2005/2714, [arts. 2\(h\)](#), [3\(a\)](#) (with [Sch. para. 5](#))

Modifications etc. (not altering text)

- C1** [S. 17A\(1\)](#) applied (1.4.2005) by [The Water Industry \(Determination of Turnover for Penalties\) Order 2005 \(S.I. 2005/477\)](#), {art. 2}

Status:

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