



Water Industry Act 1991

1991 CHAPTER 56

[^{F1}PART 7A

FURTHER PROVISION ABOUT REGULATION

Appeals relating to revisions of codes

[^{F1}207A Appeals to the CMA

- (1) The Secretary of State may by regulations provide for an appeal to lie to the CMA from—
 - (a) a decision by the Authority to make a revision to a designated code;
 - (b) a decision by the Authority, following consultation under this Act about a proposed revision to a designated code, not to make the proposed revision.
- (2) For the purposes of this section a designated code is a code, or a part of a code, issued by the Authority under or by virtue of this Act that is designated for the purposes of this section by regulations under this section.
- (3) The regulations may specify descriptions of revisions by reference to which an appeal under the regulations may not be brought.
- (4) Regulations made under subsection (3) may provide—
 - (a) for the exclusion of certain descriptions of revisions to operate only in such cases as may be determined in accordance with the regulations;
 - (b) for a determination in accordance with the regulations to be made—
 - (i) by such persons,
 - (ii) in accordance with such procedures, and
 - (iii) by reference to such matters and the opinions of such persons (including the Authority),as may be provided for in the regulations.
- (5) The regulations may—

Status: Point in time view as at 01/04/2016.

Changes to legislation: Water Industry Act 1991, Section 207A is up to date with all changes known to be in force on or before 21 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)

- (a) specify the persons or descriptions of persons eligible to bring an appeal;
 - (b) specify conditions to be satisfied by a person wishing to bring an appeal.
- (6) Regulations made under subsection (5) may—
- (a) make different provision in relation to different codes or different parts of a code;
 - (b) provide for a representative body or association to bring an appeal.
- (7) The regulations must—
- (a) provide for appeals to be brought only where the CMA grants permission for an appeal;
 - (b) provide for the grounds on which the CMA may refuse permission.
- (8) Before making regulations under this section the Secretary of State must consult—
- (a) the Welsh Ministers;
 - (b) the Authority;
 - (c) such other persons as the Secretary of State considers appropriate.]

Textual Amendments

- F1** Pt. 7A inserted (1.4.2016) by [Water Act 2014 \(c. 21\)](#), [ss. 37\(2\), 94\(3\)](#); [S.I. 2016/465](#), [art. 2\(g\)](#) (with [Sch. 2](#)) (as amended (22.3.2017) by [S.I. 2017/462](#), [art. 16](#))

Status:

Point in time view as at 01/04/2016.

Changes to legislation:

Water Industry Act 1991, Section 207A is up to date with all changes known to be in force on or before 21 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.