



Water Industry Act 1991

1991 CHAPTER 56

PART III

WATER SUPPLY

[^{F1}CHAPTER 2A

SUPPLY DUTIES ETC: LICENSED WATER SUPPLIERS

Duty of undertaker to supply licensed water supplier etc

[^{F1}[^{F2}66E]Rules about charges

- (1) The Authority must issue rules about charges that may be imposed by a water undertaker under a section 66D agreement.
- (2) The rules may in particular make provision about—
 - (a) the types of charges that may be imposed;
 - (b) the amount or the maximum amount, or methods for determining the amount or maximum amount, of any type of charge;
 - (c) principles for determining what types of charges may or may not be imposed;
 - (d) principles for determining the amount of any charge that may be imposed;
 - (e) publication of the charges that may be imposed.
- (3) The rules must include provision for and in connection with requiring a water undertaker to impose on a water supply licensee only such charges as would enable the licensee, where the services it provides to a person under its retail authorisation or restricted retail authorisation are services to which a section 142(2)(b) agreement would apply if the undertaker had continued to provide the services, to charge for those services at the same rate or rates as would have applied if the section 142(2)(b) agreement had applied.

Status: Point in time view as at 01/09/2016. This version of this provision has been superseded.

Changes to legislation: Water Industry Act 1991, Section 66E is up to date with all changes known to be in force on or before 02 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)

- (4) In subsection (3) “section 142(2)(b) agreement” means an agreement to which section 142(2)(b) applies.
- (5) If the Authority considers that a water undertaker is not acting as required by rules under this section, the Authority may—
- (a) give the undertaker a direction to do, or not to do, a thing specified in the direction, or
 - (b) in a case where a section 66D agreement to which the undertaker is party requires modification in order to conform to the rules, give a direction to the undertaker and the water supply licensee in question to modify the agreement.
- (6) It is the duty of a water undertaker or a water supply licensee to comply with a direction under subsection (5), and this duty is enforceable by the Authority under section 18.
- (7) The rules may—
- (a) make different provision for different persons or descriptions of person;
 - (b) make different provision for different purposes;
 - (c) make provision subject to exceptions.
- (8) The Authority may from time to time revise rules issued under this section and issue revised rules.
- (9) The Authority must issue revised rules if—
- (a) guidance is issued under section 66ED, and
 - (b) the Authority, having regard to that guidance, considers that it is appropriate to revise the rules.
- (10) Revised rules may include provision for applying any of their revisions to section 66D agreements made before the revised rules come into effect.]]

Textual Amendments

- F1** Pt. 3 Ch. 2A inserted (1.4.2004 for specified provisions and purposes and 1.12.2005 otherwise) by [Water Act 2003 \(c. 37\)](#), ss. 56, 105(3), [Sch. 4 para. 3](#); S.I. 2004/641, [art. 3\(I\)](#), [Sch. 1](#) (with [art. 6](#), [Sch. 3](#)); S.I. 2005/2714, [art. 3\(a\)](#) (with [Sch. 2 para. 8](#))
- F2** [Ss. 66E-66ED](#) substituted (1.9.2015 for the substitution of s. 66EB(1)-(7), 1.9.2016 for the substitution of ss. 66E for specified purposes, 66EA, 66EB(8), 66EC, 66ED) by [Water Act 2014 \(c. 21\)](#), s. 94(3), [Sch. 2 para. 5](#); S.I. 2015/1469, [art. 3\(d\)\(ii\)](#); S.I. 2016/465, [art. 3\(e\)](#) (with [Sch. 2](#)) (as amended (22.3.2017) by S.I. 2017/462, [art. 16](#))

Status:

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