



# Water Industry Act 1999

## 1999 CHAPTER 9

### PART I

#### WATER CHARGES IN ENGLAND AND WALES

#### 7 **Restriction on change in basis of charging.**

After section 144A of the <sup>M1</sup>Water Industry Act 1991 there is inserted—

**“144B Restriction on undertakers’ power to require fixing of charges by reference to volume.**

- (1) Subsection (2) below applies where—
- (a) water is supplied to any premises in which, or in any part of which, a person has his home,
  - (b) charges in respect of those premises have previously been fixed without reference to volume, and
  - (c) such conditions as may be prescribed are satisfied in relation to the premises.
- (2) Where this subsection applies, a relevant undertaker may not by virtue of any charges scheme under section 143 above begin to fix the charges in respect of those premises by reference to volume unless either—
- (a) the consumer—
    - (i) has given the undertaker a measured charges notice under section 144A above which has not been revoked under that section, or
    - (ii) has consented to the charges in respect of the premises being so fixed and has not revoked that consent under section 144A, or
  - (b) there has been a change in the occupation of the premises and no charges have yet been demanded from the person who has become the consumer.

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*Changes to legislation: Water Industry Act 1999, Section 7 is up to date with all changes known to be in force on or before 07 May 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) View outstanding changes*

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- (3) A change in the persons occupying any premises does not constitute a change in the occupation of the premises for the purposes of subsection (2)(b) above if any person who was in occupation of the premises before the change remains in occupation after the change.
- (4) Where a consumer gives consent for the purposes of subsection (2)(a)(ii) above in relation to premises in which, or in any part of which, a person has his home, he shall be treated for the purposes of subsections (5) to (8) of section 144A above as having given a measured charges notice under that section.”

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**Commencement Information**

- II** S. 7 wholly in force at 1.4.2000; s. 7 in force for certain purposes at Royal Assent see s. 17(2)(f); s. 7 in force insofar as not already in force at 1.4.2000 by S.I. 1999/3440, art. 3(b)

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**Marginal Citations**

- M1** 1991 c.56.

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**Commencement Orders yet to be applied to the Water Industry Act 1999**

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2003/1 art. 2Sch.](#) commences (2002 c. 41)