



Water Act 2014

2014 CHAPTER 21

PART 1

WATER INDUSTRY

CHAPTER 5

MISCELLANEOUS

PROSPECTIVE

54 Consumer redress

- (1) The Water Services Regulation Authority may modify the conditions of—
 - (a) a pre-commencement appointment of a water or sewerage undertaker, or
 - (b) a pre-commencement water supply licence,so as to include conditions relating to the provision of a consumer redress scheme.
- (2) In subsection (1)—
 - (a) “pre-commencement appointment of a water or sewerage undertaker” means an appointment of a company under Chapter 1 of Part 2 of the Water Industry Act 1991 to be a water or sewerage undertaker which is made before the day on which this section comes into force, and
 - (b) “pre-commencement water supply licence” means a licence under Chapter 1A of Part 2 of the Water Industry Act 1991 granted before that day.
- (3) In this section, “consumer redress scheme” means a scheme or other arrangements for unresolved complaints to be investigated and determined by an independent person.
- (4) The conditions that may under subsection (1) be included in an appointment or licence include in particular conditions requiring the company holding the appointment or the person holding the licence—

Status: Point in time view as at 15/07/2015. This version of this chapter contains provisions that are prospective.

Changes to legislation: Water Act 2014, CHAPTER 5 is up to date with all changes known to be in force on or before 06 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) to secure the provision of a consumer redress scheme, or
 - (b) to secure the provision of a consumer redress scheme which is of a description specified in the conditions or which meets requirements so specified.
- (5) Where under subsection (1) the Authority modifies conditions of an appointment or licence, it may make such incidental or consequential modifications of other conditions of the appointment or, as the case may be, other conditions of the licence as it considers necessary or expedient.
- (6) The power of the Authority under subsection (1) to modify the conditions of an appointment or licence may not be exercised after the end of the period of two years beginning with the day on which this section comes into force.
- (7) Before making a modification under this section the Authority must consult—
- (a) the company holding the appointment or the person holding the licence;
 - (b) the Secretary of State;
 - (c) the Welsh Ministers;
 - (d) the Consumer Council for Water;
 - (e) such other persons as the Authority thinks it appropriate to consult.
- (8) The Minister may direct the Authority not to make a modification that it proposes to make under this section; and the Authority must comply with such a direction.
- (9) In subsection (8) “the Minister” means—
- (a) the Secretary of State, in relation to—
 - (i) a water or sewerage undertaker whose area is wholly or mainly in England;
 - (ii) a person who holds a licence under Chapter 1A of Part 2 of the Water Industry Act 1991;
 - (b) the Welsh Ministers, in relation to a water or sewerage undertaker whose area is wholly or mainly in Wales.

55 Modification of appointment and licence conditions

- (1) The Water Services Regulation Authority may modify the conditions of appointment of a company appointed under Chapter 1 of Part 2 of the Water Industry Act 1991 to be a water or sewerage undertaker where it considers it necessary or expedient to do so in consequence of provision made by or under this Part.
- (2) The Authority may modify the conditions of a licence under Chapter 1A of Part 2 of the Water Industry Act 1991 where it considers it necessary or expedient to do so in consequence of provision made by or under this Part.
- (3) Where the Authority modifies—
- (a) conditions of appointment under subsection (1), or
 - (b) conditions of a licence under subsection (2),
- it may make such incidental or consequential modifications of other conditions of the appointment or, as the case may be, other conditions of the licence as it considers necessary or expedient.
- (4) Before making a modification under this section, the Authority must consult—

Status: Point in time view as at 15/07/2015. This version of this chapter contains provisions that are prospective.

Changes to legislation: Water Act 2014, CHAPTER 5 is up to date with all changes known to be in force on or before 06 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) the company holding the appointment or, as the case may be, the person holding the licence;
 - (b) the Secretary of State;
 - (c) the Welsh Ministers;
 - (d) such other persons as the Authority thinks it appropriate to consult.
- (5) The power of the Authority to modify—
- (a) the conditions of a company's appointment under subsection (1), or
 - (b) the conditions of a person's licence under subsection (2),
- may not be exercised after the end of the period of two years beginning with the day on which the provision in question comes into force.
- (6) References in subsections (1) to (5) to provision made by or under this Part are to be treated, where particular provision made by or under this Part comes into force on a particular day for a particular purpose, as references to so much of such provision as comes into force on a particular day.
- (7) References in this section to provision made by or under this Part include references to provision made under section 90 or 91 in connection with this Part.
- (8) The Minister may give directions to the Authority for the purpose of securing that—
- (a) the conditions of appointment of a water or sewerage undertaker are modified under this section;
 - (b) the conditions of a licence under Chapter 1A of Part 2 of the Water Industry Act 1991 are modified under this section.
- (9) The Minister may direct the Authority not to make a modification that it proposes to make under this section.
- (10) The Authority must comply with a direction under subsection (8) or (9).
- (11) In this section “the Minister” means—
- (a) the Secretary of State, in relation to—
 - (i) a water or sewerage undertaker whose area is wholly or mainly in England;
 - (ii) a person who holds a licence under Chapter 1A of Part 2 of the Water Industry Act 1991;
 - (b) the Welsh Ministers, in relation to a water or sewerage undertaker whose area is wholly or mainly in Wales.

Commencement Information

I1 S. 55 in force at 1.1.2015 by S.I. 2014/3320, art. 2(2)(c)

56 Further amendments

Schedule 7 (which contains further amendments) has effect.

Commencement Information

I2 S. 56 not in force at Royal Assent; s. 56 in force for specified purposes at 14.7.2014, see s. 94(2)(s)(t)

I3 S. 56 in force at 1.1.2015 for specified purposes by S.I. 2014/3320, art. 2(2)(d)

Status: Point in time view as at 15/07/2015. This version of this chapter contains provisions that are prospective.

Changes to legislation: Water Act 2014, CHAPTER 5 is up to date with all changes known to be in force on or before 06 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)

I4 [S. 56](#) in force at 15.7.2015 for specified purposes by [S.I. 2015/1469](#), [art. 2\(e\)](#)

Status:

Point in time view as at 15/07/2015. This version of this chapter contains provisions that are prospective.

Changes to legislation:

Water Act 2014, CHAPTER 5 is up to date with all changes known to be in force on or before 06 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.