



Water Act 2014

2014 CHAPTER 21

PART 1

WATER INDUSTRY

CHAPTER 1

WATER SUPPLY LICENCES AND SEWERAGE LICENCES

Licensing arrangements between England and Wales and Scotland

7 Arrangements with the Water Services Regulation Authority

- (1) The Water Services etc. (Scotland) Act 2005 is amended as follows.
- (2) In Schedule 2 (procedure for granting licences), after paragraph 1 there is inserted—

“Applications forwarded by the Water Services Regulation Authority

- 1A (1) The Scottish Ministers may by order make provision about—
 - (a) treating an application under section 17F of the 1991 Act for the grant of a water supply licence giving a retail authorisation or a restricted retail authorisation as being also an application under paragraph 1 for the grant of a water services licence;
 - (b) treating an application under section 17F of the 1991 Act for the grant of a sewerage licence giving a retail authorisation as being also an application under paragraph 1 for the grant of a sewerage services licence.
- (2) The order may in particular make provision about—
 - (a) the circumstances in which, and the conditions subject to which, an application under section 17F of the 1991 Act is to be treated

Status: Point in time view as at 20/11/2015. This version of this provision has been superseded.

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- as an application under paragraph 1 for a water services licence or a sewerage services licence;
 - (b) the time at which an application is to be treated as having been made;
 - (c) the processing of an application by the Commission.
- (3) Provision under sub-paragraph (2)(a) may require an application under section 17F of the 1991 Act that is forwarded to the Commission—
- (a) to include, or be accompanied by, information prescribed by the order;
 - (b) to be accompanied by a fee, or a fee of a description, prescribed by the order.
- (4) In this paragraph and paragraph 1B “the 1991 Act” means the Water Industry Act 1991.

Applications forwarded to the Water Services Regulation Authority

- 1B (1) If the conditions in sub-paragraph (2) are satisfied, the Commission must—
- (a) forward to the Authority a copy of an application under paragraph 1 for the grant of a water services licence or sewerage services licence;
 - (b) send to the Authority such information, documents and fee as appear to the Commission to be required in order that the application may be treated by the Authority as an application under section 17F of the 1991 Act for the grant of—
 - (i) a water supply licence giving a retail authorisation or a restricted retail authorisation or both, or
 - (ii) a sewerage licence giving a retail authorisation,
 as the case may be.
- (2) The conditions are that—
- (a) the Commission is requested to do so by the applicant;
 - (b) the application under paragraph 1 appears to the Commission to be an application that would be treated by the Authority as an application under section 17F of the 1991 Act for the grant of—
 - (i) a water supply licence giving a retail authorisation or a restricted retail authorisation or both, or
 - (ii) a sewerage licence giving a retail authorisation,
 as the case may be;
 - (c) the applicant has given the Commission—
 - (i) such information and documents as are mentioned in sub-paragraph (1)(b), and
 - (ii) a means of sending to the Authority such fee as is mentioned in sub-paragraph (1)(b).
- (3) The Commission must—
- (a) forward a copy of the application, and
 - (b) send such information, documents and fee as are mentioned in sub-paragraph (1)(b),

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before the end of the agreed period for an application of that description.

(4) In this paragraph—

“the agreed period”, in relation to an application under paragraph 1 of a particular description, means the period agreed between the Commission and the Authority as the period applying to an application of that description for the purposes of subparagraph (3);

“the Authority” means the Water Services Regulation Authority.”

(3) In section 6 (grant of water services and sewerage services licences)—

(a) in subsection (1), for “paragraphs 1 and 2” there is substituted “ paragraphs 1, 1A and 2 ”;

(b) in subsection (3), for “paragraphs 1 and 2” there is substituted “ paragraphs 1, 1A and 2 ”.

(4) In section 34 (orders and regulations), in subsection (3)(c), after “or (4)” there is inserted “ , 1A(1) ”.

Commencement Information

I1 S. 7(1)(2) in force at 20.11.2015 for specified purposes by [S.S.I. 2015/360, art. 2\(a\)](#)

I2 S. 7(3)(4) in force at 20.11.2015 by [S.S.I. 2015/360, art. 2\(b\)](#)

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