

## SCHEDULE 1

### Transfer schemes

#### **Approval and modification by the WSRA**

- 3.—(1) The WSRA may modify a transfer scheme before approving it.
- (2) After a transfer scheme has taken effect—
- (a) the WSRA may modify the scheme by notice to the relevant undertaker and each acquiring licensee, and
  - (b) the scheme as modified is to be treated for all purposes as having come into force at the time specified under paragraph 2(2).
- (3) The WSRA may make incidental, supplementary, consequential, transitional or transitory provision in connection with giving effect to modifications under sub-paragraph (2).
- (4) The WSRA may modify a scheme under this paragraph only if the relevant undertaker and each acquiring licensee consent.
- (5) The WSRA may require the relevant undertaker or an acquiring licensee to provide information or other assistance for the purposes of enabling it to decide whether to approve or modify a transfer scheme.
- (6) The WSRA may refuse to approve a transfer scheme if the relevant undertaker or an acquiring licensee has failed to comply with a requirement imposed under sub-paragraph (5).
- (7) A requirement imposed under sub-paragraph (5) for the purposes of enabling the WSRA to decide whether to modify a transfer scheme is enforceable under section 18 of the 1991 Act(1).

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(1) Section 18 was amended by sections 36(2) and 49(2) of, and paragraph 4 of Schedule 8 to, the Water Act 2003 (c.37). It is prospectively amended by paragraph 26 of Schedule 7 to the Water Act 2014 from a date to be appointed.