
STATUTORY INSTRUMENTS

2017 No. 506

The Water Act 2014 (Consequential Amendments etc.) Order 2017

PART 3

Consequential amendments and modifications to secondary legislation

The Water Industry (Determination of Turnover for Penalties) Order 2005

19.—(1) The Water Industry (Determination of Turnover for Penalties) Order 2005⁽¹⁾ is amended as follows.

(2) In article 2—

(a) in paragraph (1)—

(i) in paragraph (b) of the definition of “business year”, for “licensed water supplier” substitute “water supply licensee or sewerage licensee”;

(ii) omit the definition of “company”;

(iii) for the definition of “regulated activities” substitute—

““regulated activities” means—

(a) in the case of a person holding an appointment as a water undertaker, its functions as a water undertaker;

(b) in the case of a person holding an appointment as a sewerage undertaker, its functions as a sewerage undertaker;

(c) in the case of a water supply licensee, the activities authorised by its water supply licence; or

(d) in the case of a sewerage licensee, the activities authorised by its sewerage licence;”;

(iv) at the appropriate places insert—

““person” means a relevant undertaker⁽²⁾ or a water supply licensee or a sewerage licensee;”;

““sewerage licence” is to be construed in accordance with section 17BA(1) of the Act⁽³⁾.”

(b) in paragraph (2)—

(i) for “company”, in each place it occurs, substitute “person”;

(ii) for “company’s”, in both places it occurs, substitute “person’s”.

⁽¹⁾ [S.I. 2005/477](#), to which there is an amendment not relevant to this Order.

⁽²⁾ “Relevant undertaker” is defined in the 1991 Act, section 219(1).

⁽³⁾ Section 17BA was inserted by the 2014 Act, section 4(1) and is amended by the 2014 Act, Schedule 5, paragraph 7(2) from a date to be appointed.

- (3) In article 3—
 - (a) for “company”, in both places it occurs, substitute “person”;
 - (b) in paragraph (4)—
 - (i) in sub-paragraph (a) omit “or”;
 - (ii) at the end of sub-paragraph (b) insert—
 - “or
 - (c) a sewerage licence.”