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STATUTORY INSTRUMENTS

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**2023 No. 1185**

**The Enterprise Act 2002 (Merger Fees and Determination of Turnover) (Amendment) and Energy Network Mergers (Consequential Amendments) Order 2023**

**PART 3**

**CONSEQUENTIAL AMENDMENTS**

**Consequential amendments to the Water Mergers (Modification of Enactments) Regulations 2004**

8. The Water Mergers (Modification of Enactments) Regulations 2004(1) are amended as follows.

9. In regulation 3 after paragraph (d) insert—

“(da) sections 68A to 68F and Schedule 5A (mergers of energy network enterprises in Great Britain);”.

10. In regulation 17 in paragraph (a)(i), (d)(i) and (d)(ii) for “22 or 33” substitute “22, 33, 68B or 68C”.

11. In regulation 17A—

(a) in paragraph (a)(i) after “73(2)” insert “or (3B)”;

(b) for paragraph (b) substitute—

“(b) in subsection (2)—

(i) for “the purposes of section 73(2) or (3B)” there were substituted “those purposes”; and

(ii) in paragraph (a) for “section 73(2)” there were substituted “section 33D(1) of the 1991 Act”.

12. In regulation 17B in paragraph (b)(i) for “or 45” substitute “, 45, 68B or 68C”.

13. In regulation 18 in paragraph (a) after “22” insert “or 68B”.

14. In regulation 19 in paragraph (a) after “33” insert “or 68C”.

15. In regulation 20 in paragraph (a) for “or 33” substitute “, 33, 68B or 68C”.

16. In regulation 21 for “or 33” substitute “, 33, 68B or 68C”.

17. In regulation 22 for “or 33” substitute “, 33, 68B or 68C”.

18. In regulation 23 for “or 33” substitute “, 33, 68B or 68C”.

19. In regulation 24 for “or 33” substitute “, 33, 68B or 68C”.

20. In regulation 26 in paragraph (a) for “or 33” substitute “, 33, 68B or 68C”.
21. In regulation 27 in paragraph (a) for “or 33” substitute “, 33, 68B or 68C”.
22. In regulation 28—
  - (a) for “sections 22 and 33” in the heading and in both places it appears, substitute “section 22, 33, 68B or 68C”;
  - (b) in paragraph (b) for “or 33” substitute “, 33, 68B or 68C”.
23. In regulation 29—
  - (a) in paragraph (a)(i) for “or 33” substitute “, 33, 68B or 68C”;
  - (b) in paragraph (a)(ii) for “subsection (2)(b) of section 33” substitute “section 33(2)(b) or 68C(2)(a)”;
  - (c) in paragraph (b)(i) for “section 33” substitute “section 33 or 68C”;
  - (d) in paragraph (b)(ii) for “section 22 or 33 as if it had been made under section 33 or (as the case may be) 22” substitute “section 22 or 68B as if it had been made under section 33 or 68C or to treat a reference under section 33 or 68C as if it had been made under section 22 or 68B”.
24. In regulation 30 for “or 33” substitute “, 33, 68B or 68C”.
25. In regulation 30A for “or 33” substitute “, 33, 68B or 68C”.
26. In regulation 30B in paragraph (a)(i) and (b)(i) for “or 33” substitute “, 33, 68B or 68C”.
27. In regulation 34 for “or 62” substitute “, 62, 68B or 68C”.