



# Water Industry (Scotland) Act 2002

## 2002 asp 3

### PART 3

#### SCOTTISH WATER

##### *Charges*

#### **32 Approval of charges schemes**

- (1) Scottish Water must send a charges scheme made by it under section 31 to the Commissioner.
- (2) The Commissioner may approve the scheme—
  - (a) without modifications, or
  - (b) with such modifications as are agreed by the Commissioner and Scottish Water.
- (3) Where—
  - (a) the Commissioner is not prepared to give approval under subsection (2)(a), and
  - (b) Scottish Water does not agree to some or all of the modifications proposed by the Commissioner under subsection (2)(b),the Commissioner must send the scheme (with any modifications to it agreed by the Commissioner and Scottish Water) to the Scottish Ministers.
- (4) Where 3 months have elapsed since the Commissioner has received a charges scheme by virtue of subsection (1) and the Commissioner has neither—
  - (a) given approval under subsection (2), nor
  - (b) sent the scheme to the Scottish Ministers under subsection (3),Scottish Water may require the Commissioner to send it to the Scottish Ministers.
- (5) The Scottish Ministers may approve a scheme sent to them under subsection (3) or (4)—
  - (a) without modifications or further modifications, or
  - (b) with such modifications as, after consulting Scottish Water and the Commissioner, they think fit.

---

*Status: This is the original version (as it was originally enacted).*

---

- (6) Where the Commissioner approves a charges scheme under subsection (2), the Commissioner must send a copy of the scheme as so approved to the Scottish Ministers.
- (7) Where the Scottish Ministers approve a charges scheme under subsection (5), they must send a copy of the scheme as so approved to the Commissioner.