Status: This version of this schedule contains provisions that are prospective. Changes to legislation: Water Environment and Water Services (Scotland) Act 2003, SCHEDULE 4 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 4

(introduced by section 34)

MODIFICATIONS OF PART III OF THE 1980 ACT

- In section 22 (power to break open streets) of the 1980 Act—
 - (a) the existing provision becomes subsection (1),
 - (b) after that subsection insert—
 - "(2) Paragraph 1 of Schedule 3 has effect in relation to works carried out by any person—
 - (a) in pursuance of an authorisation under section 23A(1), or
 - (b) in connection with the management, maintenance or renewal of a main or communication pipe laid by that person in pursuance of such an authorisation and vested in that person,

as it has in relation to works carried out by Scottish Water."

Commencement Information

1

II Sch. 4 para. 1 in force at 10.7.2008 by S.S.I. 2008/269, art. 2(d)

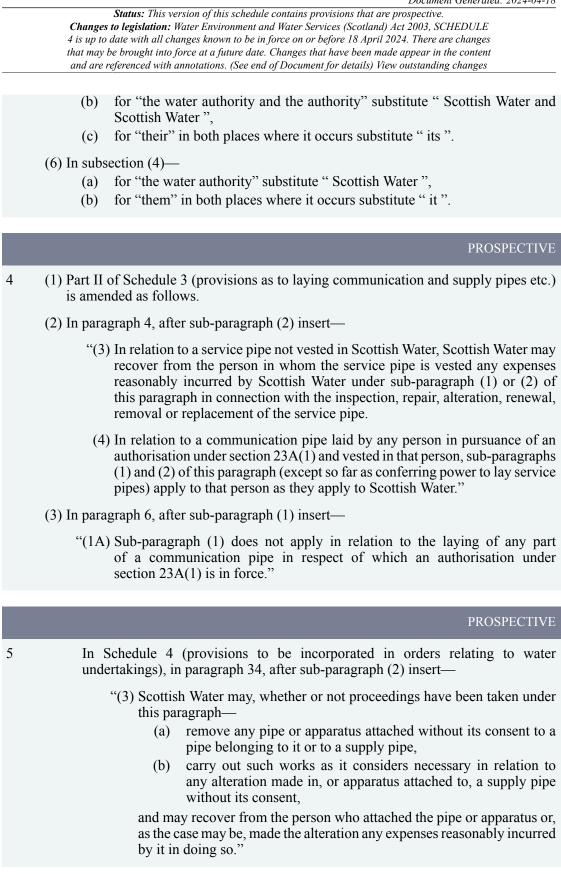
- 2 In section 23 (power to lay mains etc.), after subsection (2) insert—
 - "(2A) In relation to a main not vested in Scottish Water, Scottish Water may recover from the person in whom the main is vested any expenses reasonably incurred by Scottish Water under subsection (1) or (2) in connection with the inspection, repair, maintenance, alteration, renewal or removal of the main.
 - (2B) In relation to a main laid by any person in pursuance of an authorisation under section 23A(1), subsections (1) and (2) of this section, so far as relating to the inspection, repair, maintenance, alteration, renewal or removal of a main, apply to that person as they apply to Scottish Water."

Commencement Information

I2 Sch. 4 para. 2 in force at 10.7.2008 for specified purposes by S.S.I. 2008/269, art. 2(e)

PROSPECTIVE

- 3 (1) Section 24 (communication and supply pipes) of the 1980 Act is amended as follows.
 - (2) In subsection (1), for "the water authority providing the supply" substitute " Scottish Water ".
 - (3) After subsection (1) insert—
 - "(1A) Subsection (1) does not apply in relation to the laying of any part of a service pipe in respect of which an authorisation under section 23A(1) is in force."
 - (4) In subsection (2), for "all water authorities" substitute "Scottish Water".
 - (5) In subsection (3)—
 - (a) at the beginning insert "Subject to section 23A, ",



Status:

This version of this schedule contains provisions that are prospective.

Changes to legislation:

Water Environment and Water Services (Scotland) Act 2003, SCHEDULE 4 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters: Whole provisions yet to be inserted into this Act (including any effects on those provisions):

s. 23(5) inserted by 2014 asp 3 sch. 3 para. 8(6)(b)