



Water Industry (Scotland) Act 2002

2002 asp 3

PART 3

SCOTTISH WATER

Charges

36 Section 35: meaning of “occupier”

- (1) In the application of section 35 to services which are the subject of a determination under section 37(1)(a), references in section 35(1) and (2) to the occupier of premises are references to the person—
 - (a) who is liable under or by virtue of sections 75 to 77 of the Local Government Finance Act 1992 (c. 14) to pay council tax (within the meaning of section 70(1) of that Act) in respect of the premises, or
 - (b) who would be so liable but for the premises being an exempt dwelling (within the meaning of Part II of that Act).
- (2) Without prejudice to subsections (3) and (4) of section 35, the Scottish Ministers may, after consulting such persons as they think fit, by order make provision, in relation to such premises or description of premises as the order may specify, as to the persons who are, for the purposes of subsections (1) and (2) of that section, to be treated as being, or as not being, occupiers of the premises.
- (3) Section 35(3) and subsection (2) of this section do not apply in a case to which subsection (1) of this section applies.