

SCHEDULE 2

TRANSITIONAL, TRANSITORY AND SAVING PROVISIONS

PART I

APPLICATIONS FOR WATER OR SEWERAGE SERVICES

Interpretation

8.—(1) In paragraphs 1 to 5 references to any application under Article 17 of the 1973 Order which is outstanding immediately before the transfer date are references to an application—

(a) which has not before the transfer date been—

(i) withdrawn by the applicant;

(ii) refused by the Department in circumstances where the period for appeal under that Article has expired, and no right of appeal under that Article was exercised, before that date; or

(iii) refused by the Department in circumstances where the right of appeal under that Article was exercised and the refusal of the Department was upheld, before that date, and

(b) in respect of which all steps to be taken by the Department in order to enable it to provide the service, connection, extension or augmentation applied for have not been taken before the transfer date.

(2) In paragraphs 1 to 5 references to any condition imposed by an undertaker under an Article of the 2006 Order include references to any requirement compliance with which is a condition of the undertaker's duty and references to any requirement compliance with which satisfies such a condition.