
DRAFT STATUTORY INSTRUMENTS

2006 No.

The Water and Sewerage Services
(Northern Ireland) Order 2006

PART VII

FINANCIAL PROVISIONS

CHAPTER I

CHARGES

Manner of fixing charges

Restriction on undertakers' power to require fixing of charges by reference to volume

205.—(1) Paragraph (2) applies where—

- (a) water is supplied to any premises in which, or in any part of which, a person has his home;
- (b) charges in respect of those premises have previously been fixed without reference to volume; and
- (c) such conditions as may be prescribed are satisfied in relation to the premises.

(2) Where this paragraph applies, a relevant undertaker may not by virtue of any charges scheme under Article 201 begin to fix the charges in respect of those premises by reference to volume unless either—

- (a) the consumer—
 - (i) has given the undertaker a measured charges notice under Article 204 which has not been revoked under that Article; or
 - (ii) has consented to the charges in respect of the premises being so fixed and has not revoked that consent under Article 204; or
- (b) there has been a change in the occupation of the premises and no charges have yet been demanded from the person who has become the consumer.

(3) A change in the persons occupying any premises does not constitute a change in the occupation of the premises for the purposes of paragraph (2)(b) if any person who was in occupation of the premises before the change remains in occupation after the change.

(4) Where a consumer gives consent for the purposes of paragraph (2)(a)(ii) in relation to premises in which, or in any part of which, a person has his home, he shall be treated for the purposes of paragraphs (5) to (8) of Article 204 as having given a measured charges notice under that Article.