



Water (Scotland) Act 1980

1980 CHAPTER 45

PART III

POWERS OF WATER AUTHORITIES FOR THE PURPOSES OF WATER SUPPLY

24 Communication and supply pipes.

- (1) Where a service pipe is required to be laid for the purpose of supplying water to premises for domestic purposes, the water authority providing the supply shall lay the communication pipe and also so much of the supply pipe as is to be laid in a [^{F1}road].
- (2) The provisions of Part II of Schedule 3 shall apply to all water authorities.
- (3) All communication pipes whether laid before or after the commencement of this Act shall vest in the water authority and the authority shall at their own expense carry out any necessary work of maintenance, repair or renewal of such pipes and any work on their mains incidental thereto.
- (4) The water authority shall also carry out any such necessary works in the case of so much of any supply pipe as is laid in a [^{F1}road][^{F2}and is not, by virtue of any of subsections (5) to (8) below, vested in them] and may recover from the owner of the premises the expenses reasonably incurred by them in so doing, but without prejudice to the rights and obligations as between themselves of the owner and the occupier of the premises [^{F3}and to the terms and conditions of any such agreement as is mentioned in subsection (8) below].
- [^{F4}(5) Where the laying of a supply pipe is completed after such day as the Secretary of State may under this subsection by order appoint, so much of that pipe as may lie between a communication pipe with which it connects and the curtilage of the premises supplied shall, on such completion, vest in the water authority in whom is vested the communication pipe as shall any apparatus used wholly or mainly in connection with that supply pipe; and a supply pipe in so far as so lying is, together with any apparatus so used in connection with it, referred to in the following provisions of this section as a “relevant supply pipe”.

Changes to legislation: Water (Scotland) Act 1980, Section 24 is up to date with all changes known to be in force on or before 05 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

- (6) Subject to subsection (7) below, on such day as the Secretary of State may by order appoint, a relevant supply pipe which is not then vested in any water authority (and whose laying is complete) shall vest in the water authority in whom the communication pipe is vested.
- (7) Subsection (6) above shall have no effect in relation to any relevant supply pipe in respect of which notice is both given and not withdrawn, within the period of three months before the day appointed under that subsection—
- (a) to the water authority in question by the person (or as the case may be any one of the persons) in whom the pipe is, or will immediately before that day be, vested stating that he does not wish the pipe to vest in the water authority under that subsection; or
 - (b) to such person (or as the case may be persons) by the water authority stating that the pipe is inappropriate for the purpose of supplying water to the premises, whether by reason of its state of repair or otherwise,
- but at any time after the appointed day the person, or as the case may be persons, in whom the pipe is vested may by notice specify a day on which he desires (or they desire) that the pipe shall vest in the authority and if the pipe is on that specified day appropriate for the purpose of supplying water to the premises it shall vest accordingly.
- (8) If a relevant supply pipe does not vest in a water authority by virtue of subsection (6) or (7) above, the pipe may nevertheless vest by agreement in the authority—
- (a) on such terms and conditions; and
 - (b) as from such day after the appointed day,
- as the person (or persons) and the water authority consider appropriate.
- (9) The water authority shall, at their own expense, carry out any necessary work of maintenance, repair or renewal of relevant supply pipes vested in them by virtue of any of subsections (5) to (7) above; but this subsection is without prejudice to the terms and conditions of any such agreement as is mentioned in subsection (8) above.
- (10) Any dispute arising under subsection (7) above as to whether—
- (a) a notice under paragraph (b) of that subsection should be withdrawn as unjustified;
 - (b) apparatus is used wholly or mainly in connection with a supply pipe; or
 - (c) on a specified day a relevant supply pipe is appropriate for the purpose of supplying water to the premises,
- shall be referred by the person or persons in whom the pipe is vested to the Secretary of State, who may determine the dispute himself or, if he thinks fit, refer it for determination by arbitration.]

Textual Amendments

- F1** Word substituted by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), **Sch. 9 para. 81(6)**
- F2** Words in s. 24(4) inserted (1.4.1996) by [1994 c. 39, s. 110\(a\)\(i\)](#) (with s. 74(4)); S.I. 1996/323, art. 4(1)(a), **Sch. 1**
- F3** Words in s. 24(4) added (1.4.1996) by [1994 c. 39, s. 110\(a\)\(ii\)](#) (with s. 74(4)); S.I. 1996/323, art. 4(1)(a), **Sch. 1**
- F4** S. 24(5)-(10) added (1.4.1996) by [1994 c. 39, s. 110\(b\)](#) (with s. 74(4)); S.I. 1996/323, art. 4(1)(a), **Sch. 1**

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Changes and effects yet to be applied to :

- s. 24(1) words substituted by [2003 asp 3 sch. 4 para. 3\(2\)](#)
- s. 24(2) words substituted by [2003 asp 3 sch. 4 para. 3\(4\)](#)
- s. 24(3) word substituted by [2003 asp 3 sch. 4 para. 3\(5\)\(c\)](#)
- s. 24(3) words inserted by [2003 asp 3 sch. 4 para. 3\(5\)\(a\)](#)
- s. 24(3) words substituted by [2003 asp 3 sch. 4 para. 3\(5\)\(b\)](#)
- s. 24(4) word substituted by [2003 asp 3 sch. 4 para. 3\(6\)\(b\)](#)
- s. 24(4) words substituted by [2003 asp 3 sch. 4 para. 3\(6\)\(a\)](#)

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. 24(1A) inserted by [2003 asp 3 sch. 4 para. 3\(3\)](#)
- s. 110A certain functions transferred by [S.I. 1999/1750 art. 3Sch. 2](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 110A by 1995 c. 25, Sch. 21 para. 5 has not yet been brought into force)
- s. 110A inserted by [1995 c. 25 Sch. 21 para. 5](#)
- s. 110A(7) words substituted by [1997 c. 11 Sch. 2 para. 30\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 110A by 1995 c. 25, Sch. 21 para. 5 has not yet been brought into force)
- s. 110A(8) words substituted by [1997 c. 11 Sch. 2 para. 30\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 110A by 1995 c. 25, Sch. 21 para. 5 has not yet been brought into force)
- Sch. 3 para. 4(3)(4) inserted by [2003 asp 3 sch. 4 para. 4\(2\)](#)
- Sch. 3 para. 6(1A) inserted by [2003 asp 3 sch. 4 para. 4\(3\)](#)
- Sch. 4 s. 34(3) inserted by [2003 asp 3 sch. 4 para. 5](#)