

Changes to legislation: Water Industry Act 1991, Schedule 4A 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

SCHEDULES

[^{F1}SCHEDULE 4A

PREMISES THAT ARE NOT TO BE DISCONNECTED FOR NON-PAYMENT OF CHARGES

Textual Amendments

F1 Sch. 4A inserted (30.6.1999) by 1999 c. 9, ss. 1(2), 17(2), Sch. 1

- 1 (1) Any dwelling which is occupied by a person as his only or principal home.
- (2) In this paragraph “dwelling” means—
- (a) a private dwelling-house (which may be a building or part of a building),
 - (b) a caravan within the meaning of Part I of the ^{M1}Caravan Sites and Control of Development Act 1960 (disregarding the amendment made by section 13(2) of the ^{M2}Caravan Sites Act 1968), or
 - (c) a boat or similar structure designed or adapted for use as a place of permanent habitation.

Marginal Citations

M1 1960 c.62.

M2 1968 c.52.

- 2 (1) Any house in multiple occupation which does not constitute a dwelling within the meaning of paragraph 1 above and in which any person has his only or principal home.
- [^{F2}(2) In this paragraph “house in multiple occupation” means a house in multiple occupation as defined by sections 254 to 259 of the Housing Act 2004, as they have effect for the purposes of Part 1 of that Act (that is, without the exclusions contained in Schedule 14 to that Act).]

Textual Amendments

F2 Sch. 4A para. 2(2) substituted (6.4.2006 for E. and 16.6.2006 for W.) by Housing Act 2004 (c. 34), ss. 265(1), 270, {Sch. 15 para. 36}); S.I. 2006/1060, art. 2(1)(d); S.I. 2006/1535, art. 2(b)

- 3 (1) Accommodation for the elderly in which a person has his only or principal home.
- (2) In this paragraph “accommodation for the elderly” means residential accommodation to which sub-paragraph (3) or (4) below applies, but which is not a dwelling within the meaning of paragraph 1 above or a house in multiple occupation within the meaning of paragraph 2 above.
- (3) This sub-paragraph applies to residential accommodation—

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- (a) which is particularly suitable, having regard to its location, size, design, heating systems and other features, for occupation by elderly persons,
 - (b) which it is the practice of the landlord to let for occupation by persons aged 60 or more, and
 - (c) where the services of a warden are provided.
- (4) This sub-paragraph applies to any building or part of a building designed or adapted for use as residential accommodation for elderly persons.

[^{F34} A hospital as defined by section 275 of the National Health Service Act 2006 in relation to England or section 206 of the National Health Service (Wales) Act 2006 in relation to Wales.]

Textual Amendments

F3 Sch. 4A para. 4 substituted (6.4.2010) by [The Health and Social Care Act 2008 \(Consequential Amendments\) Order 2010 \(S.I. 2010/750\)](#), arts. 1(1), 2

- 5 Premises used for the provision of medical services by a registered medical practitioner.
- 6 Premises used for the provision of dental services by a person who under the ^{M3}Dentists Act 1984 is permitted to practise dentistry.

Marginal Citations

M3 1984 c.24.

[^{F47} Premises not falling within paragraph 5 or 6 above which are used for the provision of primary medical services or primary dental services under [^{F5}the National Health Service Act 2006 or the National Health Service (Wales) Act 2006] .]

Textual Amendments

F4 Sch. 4A para. 7 substituted (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 184, 199, [Sch. 11 para. 58](#); S.I. 2004/288, [art. 5\(2\)\(v\)](#) (as amended by S.I. 2004/866, S.I. 2004/1009 and S.I. 2005/2925); S.I. 2004/480, [art. 4\(2\)\(z\)](#) (as amended by S.I. 2006/345)

F5 Words in Sch. 4A para. 7 substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 8(2), [Sch. 1 para. 139\(a\)](#)

- [^{F68} (1) A care home or independent hospital.
- (2) In this paragraph—
 “care home” means—
- (a) a care home [^{F7}in England] within the meaning of the Care Standards Act 2000;
 - (aa) [^{F8}premises in Wales at which a care home service, within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2), is provided;]
 - (b) ^{F9}...

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- (c) [^{F10}a building or part of a building in which accommodation is provided under Part 1 of the Care Act 2014;]
- (d) [^{F11}a building or part of a building—
- (i) in which accommodation is provided under Part 4 of the Social Services and Well-being (Wales) Act 2014^{F12}...
- (^{F13}ii) ...]
- ^{F14} ...
- [In this paragraph “independent hospital”, in relation to England, means—
- ^{F15}(3) (a) an establishment, not being a health service hospital as defined by section 275 of the National Health Service Act 2006,—
- (i) the main purpose of which is to provide medical or psychiatric treatment for illness or mental disorder or palliative care; or
- (ii) in which (whether or not other services are provided) any of the services listed in sub-paragraph (5) are provided; or
- (b) any other establishment, not being a health service hospital as so defined, in which treatment or nursing (or both) are provided for persons liable to be detained under the Mental Health Act 1983.
- (4) In this paragraph “independent hospital”, in relation to Wales, means an independent hospital within the meaning of the Care Standards Act 2000.
- (5) The services referred to in sub-paragraph (3)(a)(ii) are as follows—
- (a) medical treatment under anaesthesia or intravenously administered sedation;
- (b) dental treatment under general anaesthesia;
- (c) obstetric services and, in connection with childbirth, medical services;
- (d) termination of pregnancies;
- (e) cosmetic surgery, other than—
- (i) ear and body piercing,
- (ii) tattooing,
- (iii) the subcutaneous injection of a substance or substances into the skin for cosmetic purposes, or
- (iv) the removal of hair roots or small blemishes on the skin by the application of heat using an electric current.
- (6) In sub-paragraph (3)(a)(i)—
- (a) “illness” includes any injury; and
- (b) “mental disorder” has the same meaning as in the Mental Health Act 1983.]]

Textual Amendments

- F6** Sch. 4A paras. 8, 9 substituted (1.4.2002) by 2000 c. 14, s. 116, Sch. 4 para. 18; S.I. 2001/4150, art. 3(3)(a) (subject to transitional provisions in art. 4 and S.I. 2002/1493, art. 4); S.I. 2002/920, **art. 3(3)(d)** (with transitional provisions and savings in arts. 3(4)-(10), Schs. 1-3)
- F7** Words in Sch. 4A para. 8(2)(a) inserted (2.4.2018) by *The Regulation and Inspection of Social Care (Wales) Act 2016 (Consequential Amendments) Regulations 2018* (S.I. 2018/195), regs. 2(1), **16(2)(a)**
- F8** Sch. 4A para. 8(2)(aa) inserted (2.4.2018) by *The Regulation and Inspection of Social Care (Wales) Act 2016 (Consequential Amendments) Regulations 2018* (S.I. 2018/195), regs. 2(1), **16(2)(b)**
- F9** Words in Sch. 4A para. 8(2) omitted (6.4.2016) by virtue of *The Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016* (S.I. 2016/413), regs. 2(1), **129(a)**

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- F10** Words in Sch. 4A para. 8(2) inserted (1.4.2015) by [The Care Act 2014 and Children and Families Act 2014 \(Consequential Amendments\) Order 2015 \(S.I. 2015/914\)](#), art. 1(2), **Sch. para. 53** (with arts. 1(3), 3)
- F11** Words in Sch. 4A para. 8(2) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **129(b)**
- F12** Word in Sch. 4A para. 8(2)(d)(i) omitted (2.4.2018) by virtue of [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/195\)](#), regs. 2(1), **16(2)(c)**
- F13** Sch. 4A para. 8(2)(d)(ii) omitted (2.4.2018) by virtue of [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/195\)](#), regs. 2(1), **16(2)(d)**
- F14** Words in Sch. 4A para. 8(2) omitted (1.10.2010) by virtue of [The Health and Social Care Act 2008 \(Consequential Amendments No.3\) Order 2010 \(S.I. 2010/2224\)](#), arts. 1(1), **2(a)**
- F15** Sch. 4A para. 8(3)-(6) inserted (1.10.2010) by [The Health and Social Care Act 2008 \(Consequential Amendments No.3\) Order 2010 \(S.I. 2010/2224\)](#), arts. 1(1), **2(b)**

^{F16}9 A children’s home [^{F17}in England] within the meaning of the Care Standards Act 2000.

Textual Amendments

- F16** Sch. 4A paras. 8, 9 substituted (1.4.2002) by [2000 c. 14, s. 116, Sch. 4 para. 18; S.I. 2001/4150, art. 3\(3\)\(a\)](#) (subject to transitional provisions in art. 4 and S.I. 2002/1493, art. 4); S.I. 2002/920, **art. 3(3)(d)** (subject to transitional provisions and savings in arts. 3(4)-(10), Schs. 1-3)
- F17** Words in Sch. 4A para. 9 inserted (2.4.2018) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/195\)](#), regs. 2(1), **16(3)**

[^{F18}9A. Premises in Wales at which a secure accommodation service, within the meaning of Part 1 of the Regulation and Inspection of Social Care (Wales) Act 2016, is provided.]

Textual Amendments

- F18** Sch. 4A para. 9A inserted (29.4.2019) by [The Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2019 \(S.I. 2019/772\)](#), regs. 1(2), **6**

10 A school within the meaning of the ^{M4}Education Act 1996.

Marginal Citations

M4 [1996 c.56.](#)

[^{F19}10A A 16 to 19 Academy.]

Textual Amendments

- F19** Sch. 4A para. 10A inserted (1.4.2012) by [Education Act 2011 \(c. 21\), s. 82\(3\)](#), **Sch. 13 para. 7; S.I. 2012/924, art. 2**

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- 11 (1) Premises used by an institution within the further education sector or an institution within the higher education sector for, or in connection with, the provision of education.
- (2) In this paragraph the references to an institution within the further education sector or within the higher education sector are to be construed in accordance with section 91 of the ^{M5}Further and Higher Education Act 1992.

Marginal Citations

M5 1992 c.13.

- [^{F20}12 (1) Premises in England which are used for the provision of childcare by a person who is registered (otherwise than as a childminder) under Part 3 of the Childcare Act 2006
^{F21} ...
- (2) Premises in Wales which are used for the provision of day care for children by a person who is registered under [^{F22}Part 2 of the Children and Families (Wales) Measure 2010] in respect of the premises.]

Textual Amendments

- F20** Sch. 4A para. 12 substituted (6.4.2007) by [Childcare Act 2006 \(c. 21\)](#), ss. 103(1), 109, **Sch. 2 para. 19**; [S.I. 2007/1019](#), **art. 4** (with savings in [Sch. para. 4](#))
- F21** Words in Sch. 4A para. 12(1) omitted (1.1.2016) by virtue of [Small Business, Enterprise and Employment Act 2015 \(c. 26\)](#), s. 164(1), **Sch. 2 para. 20**; [S.I. 2015/1329](#), reg. 6(b)
- F22** Words in Sch. 4A para. 12(2) substituted (1.4.2011) by [Children and Families \(Wales\) Measure 2010 \(nawm 1\)](#), s. 75(3), **Sch. 1 para. 9**; [S.I. 2010/2582](#), **art. 2**, [Sch. 1](#) (with [Sch. 2](#), [Sch. 3](#))

- 13 (1) A prison or [^{F23}removal centre] .
- (2) In this paragraph “prison” means—
- (a) any prison, young offender institution or remand centre which is under the general superintendence of, or is provided by, the Secretary of State under the ^{M6}Prison Act 1952, including a contracted out prison within the meaning of Part IV of the ^{M7}Criminal Justice Act 1991,
- (b) any secure training centre ^{F24}...
[a secure college, or]
- ^{F25}(ba)
- (c) a naval, military or air force prison.
- (3) In this paragraph “[^{F23}removal centre]” means any premises which are used solely for detaining persons under the ^{M8}Immigration Act 1971 or the [^{F26}Nationality, Immigration and Asylum Act 2002] , but which are not a part of a prison.

Textual Amendments

- F23** Words in Sch. 4A para. 13 substituted (10.2.2003) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), **ss. 66(2)(3)(p)**, 162(2); [S.I. 2003/1](#), **art. 2**, [Sch.](#)
- F24** Words in Sch. 4A para. 13(2)(b) omitted (20.3.2015) by virtue of [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), **Sch. 9 para. 10(a)**; [S.I. 2015/778](#), **art. 2(1)(c)**

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F25 Sch. 4A para. 13(2)(ba) inserted (20.3.2015) by [Criminal Justice and Courts Act 2015 \(c. 2\)](#), s. 95(1), [Sch. 9 para. 10\(b\)](#); S.I. 2015/778, art. 2(1)(c)

F26 Words in Sch. 4A para. 13(3) substituted (4.4.2003) by [The Nationality, Immigration and Asylum Act 2002 \(Consequential and Incidental Provisions\) Order 2003 \(S.I. 2003/1016\)](#), art. 3, [Sch. para. 5](#)

Marginal Citations

M6 1952 c.52.

M7 1991 c.53.

M8 1971 c.77.

14 Premises occupied for the purposes of a police force.

15 Premises occupied for the purposes of a [^{F27}fire and rescue authority] .

Textual Amendments

F27 Words in Sch. 4A para. 15 substituted (1.10.2004 for E. and 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), ss. 53, 61, {Sch. 1 para. 78}; S.I. 2004/2304, [art. 2\(2\)](#) (subject to savings in art. 3); S.I. 2004/2917, [art. 2](#)

16 Premises occupied for the purposes of the provision of an ambulance service by a National Health Service trust established under [^{F28}the National Health Service Act 2006 or the National Health Service (Wales) Act 2006][^{F29}or by an NHS foundation trust] .]

Textual Amendments

F28 Words in Sch. 4A para. 16 substituted (1.3.2007) by [National Health Service \(Consequential Provisions\) Act 2006 \(c. 43\)](#), ss. 2, 8(2), [Sch. 1 para. 139\(b\)](#)

F29 Words in Sch. 4A para. 16 inserted (1.4.2004) by [Health and Social Care \(Community Health and Standards\) Act 2003 \(c. 43\)](#), ss. 34, 119, [Sch. 4 para. 90](#); S.I. 2004/759, [art. 2](#)

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Changes and effects yet to be applied to :

- Sch. 4A para. 13(2)(a) by 2000 c. 43 Sch. 7 para. 114
- Sch. 4A para. 16 words omitted by 2012 c. 7 Sch. 14 para. 56

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):

- Pt. 3 Ch. 2B inserted by 2014 c. 21 s. 12
- s. 17(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 4(4)(b) (as substituted) by S.I. 2019/1245 reg. 21 (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 17A(c) repealed by 2014 c. 21 Sch. 5 para. 4(2)(c)
- s. 17A(d) repealed by 2014 c. 21 Sch. 5 para. 4(2)(c)
- s. 17A(2)(ba) and word inserted by 2014 c. 21 Sch. 5 para. 4(2)(b)
- s. 17R(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 4(7)(b) (as substituted) by S.I. 2019/1245 reg. 21 (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 17AA(1)(ba)(bb) inserted by 2014 c. 21 Sch. 5 para. 5(2)
- s. 17BA(5A) inserted by 2014 c. 21 Sch. 5 para. 7(3)
- s. 17HA(9)(b)(ia) inserted by 2014 c. 21 Sch. 5 para. 16(2)
- s. 23(2AA) inserted by 2014 c. 21 Sch. 7 para. 35(4)
- s. 23(8)(9) inserted by 2014 c. 21 Sch. 7 para. 35(10)
- s. 39E-39H inserted by 2021 c. 30 s. 78(7)
- s. 87(7C)-(7F) inserted by 2012 c. 7 s. 35(6)
- s. 94A-94E inserted by 2021 c. 30 s. 79
- s. 95ZA(6) inserted by 2014 c. 21 Sch. 5 para. 39(4)
- s. 96ZA(2)-(5) substituted for s. 96ZA(2) by 2014 c. 21 Sch. 5 para. 40
- s. 106B(3A) inserted by 2014 c. 21 Sch. 7 para. 94
- s. 117G(2)(aa) inserted by 2014 c. 21 Sch. 5 para. 41(2)
- s. 117G(4)-(4D) substituted for s. 117(4) by 2014 c. 21 Sch. 5 para. 41(3)
- s. 117G(6)(aa) inserted by 2014 c. 21 Sch. 5 para. 41(4)
- s. 117K(2)(aa) inserted by 2014 c. 21 Sch. 5 para. 42(2)
- s. 117K(5)(5A) substituted for s. 117(5) by 2014 c. 21 Sch. 5 para. 42(3)
- s. 117L(9) inserted by 2014 c. 21 Sch. 5 para. 43(3)
- s. 117N(4)(aa) inserted by 2014 c. 21 Sch. 5 para. 45(2)
- s. 117N(8)(aa) inserted by 2014 c. 21 Sch. 5 para. 45(3)
- s. 117N(11)(aa) inserted by 2014 c. 21 Sch. 5 para. 45(4)
- s. 117O(4)(aa) inserted by 2014 c. 21 Sch. 5 para. 46(2)
- s. 117O(8)(aa) inserted by 2014 c. 21 Sch. 5 para. 46(3)
- s. 117S(7)-(9) inserted by 2014 c. 21 Sch. 5 para. 49
- s. 119(2)(ab) inserted by 2003 c. 37 s. 89(1)(a)
- s. 119(3) inserted by 2003 c. 37 s. 89(1)(b)
- s. 121(1)(ba) inserted by 2003 c. 37 s. 89(2)(a)

- s. 141DA inserted by 2021 c. 30 s. 81
- s. 141DC inserted by 2021 c. 30 s. 83
- s. 177K(7)(aa) inserted by 2014 c. 21 Sch. 5 para. 42(4)
- s. 207D and cross-heading inserted by 2014 c. 21 s. 39
- s. 207D(5) word repealed by 2014 c. 21 Sch. 5 para. 52(a)
- s. 207D(5) words inserted by 2014 c. 21 Sch. 5 para. 52(b)
- s. 213(1ZA) inserted by 2014 c. 21 Sch. 7 para. 119(3)
- s. 213(1ZA) repealed by 2014 c. 21 Sch. 5 para. 53