



Water Industry Act 1991

1991 CHAPTER 56

^{F1}[PART IIIA

PROMOTION OF THE EFFICIENT USE OF WATER

[93B Power of Director to impose requirements on water undertakers.

- (1) The Director may require a water undertaker [^{F1}or [^{F2}water supply licensee]], in [^{F3}the performance of that undertaker's or licensee's duty] under section 93A above, to—
 - (a) take any such action; or
 - (b) achieve any such overall standards of performance,as he may specify in the document imposing the requirement.
- (2) Where the Director, in the document imposing a requirement on a water undertaker [^{F4}or [^{F5}water supply licensee]] under subsection (1) above, stipulates that any contravention of the requirement by the undertaker [^{F6}or licensee] will be a breach of [^{F7}the undertaker's or licensee's duty] under section 93A above, any contravention of that requirement by the undertaker shall be a breach of that duty.
- (3) Without prejudice to the generality of subsection (1) above, a requirement under that subsection may—
 - (a) require a water undertaker [^{F8}or [^{F9}water supply licensee]] to make available to [^{F10}that person's customers] or potential customers such facilities as may be specified in the document imposing the requirement;
 - (b) require a water undertaker [^{F8}or [^{F9}water supply licensee]] to provide or make available to [^{F10}that person's customers] or potential customers such information as may be specified in the document imposing the requirement, and may specify the form in which, the times at which or the frequency with which any such information is to be provided or made available.
- (4) In exercising his powers under this section in relation to any water undertaker [^{F11}or [^{F12}water supply licensee]] the Director shall have regard to the extent to which water resources are available to that undertaker [^{F13}or licensee].

Changes to legislation: Water Industry Act 1991, Section 93B 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

- (5) Before imposing any requirement on a water undertaker [^{F14}or [^{F15}water supply licensee]] under subsection (1) above the Director shall consult that undertaker [^{F16}or licensee].
- (6) Nothing in this section authorises the Director to impose any requirement on a water undertaker [^{F17}or [^{F18}water supply licensee]] which has or may have the effect of authorising or requiring that undertaker [^{F19}or licensee] to impose any requirement on any of [^{F20}that person's customers] or potential customers.]

Textual Amendments

- F1** Words in s. 93B(1) inserted (1.12.2005) by Water Act 2003 (c. 37), ss. 101(1), 105(3), **Sch. 8 para. 30(2)**; S.I. 2005/2714, **art. 3(c)** (with Sch. para. 8)
- F2** Words in s. 93B(1) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(2)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F3** Words in s. 93B(1) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(3)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F4** Words in s. 93B(2) inserted (1.12.2005) by Water Act 2003 (c. 37), ss. 101(1), 105(3), **Sch. 8 para. 30(3)(a)**; S.I. 2005/2714, **art. 3(c)** (with Sch. para. 8)
- F5** Words in s. 93B(2) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(2)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F6** Words in s. 93B(2) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(4)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F7** Words in s. 93B(2) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(5)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F8** Words in s. 93B(3)(a)(b) inserted (1.12.2005) by Water Act 2003 (c. 37), ss. 101(1), 105(3), **Sch. 8 para. 30(4)**; S.I. 2005/2714, **art. 3(c)** (with Sch. para. 8)
- F9** Words in s. 93B(3) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(2)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F10** Words in s. 93B(3) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(6)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F11** Words in s. 93B(4) inserted (1.12.2005) by Water Act 2003 (c. 37), ss. 101(1), 105(3), **Sch. 8 para. 30(5)(a)**; S.I. 2005/2714, **art. 3(c)** (with Sch. para. 8)
- F12** Words in s. 93B(4) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(2)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F13** Words in s. 93B(4) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(4)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F14** Words in s. 93B(5) inserted (1.12.2005) by Water Act 2003 (c. 37), ss. 101(1), 105(3), **Sch. 8 para. 30(6)(a)**; S.I. 2005/2714, **art. 3(c)** (with Sch. para. 8)
- F15** Words in s. 93B(5) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(2)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F16** Words in s. 93B(5) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(4)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F17** Words in s. 93B(6) inserted (1.12.2005) by Water Act 2003 (c. 37), ss. 101(1), 105(3), **Sch. 8 para. 30(7)(a)**; S.I. 2005/2714, **art. 3(c)** (with Sch. para. 8)
- F18** Words in s. 93B(6) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(2)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F19** Words in s. 93B(6) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(4)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F20** Words in s. 93B(6) substituted (1.4.2016) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 81(6)**; S.I. 2016/465, **art. 2(m)**, **Sch. 1 para. 1(o)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)

Changes to legislation:

Water Industry Act 1991, Section 93B 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.

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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](#)