

*These notes refer to the Water Industry Act 1999
(c.9) which received Royal Assent on 30 June 1999*

WATER INDUSTRY ACT 1999

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 6: rights of consumers to elect for charging by reference to volume

23. *Section 6* adds a new section (section 144A) to the 1991 Act. It covers homes which currently pay their water and sewerage bills on an unmeasured basis under a charges scheme. It gives these consumers a new right to require their water company to charge them by reference to volume (by sending their water company a ‘measured charges notice’). Water companies would not have to install a meter where it would not be practicable or would be unreasonably expensive. Any dispute between the water company and the customer over whether installation of a meter would be impracticable or unreasonably expensive should be submitted to the Director General of Water Services. A company’s charges scheme will set out the time within which the company will fit a meter and start charging the consumer by reference to volume. Tenants, other than those in fixed term tenancies of less than six months, will be able to exercise these rights irrespective of any term of their tenancy agreement which restricts or prohibits the exercise of these rights.
24. Section 144A enables consumers to revert to paying for their water on an unmeasured basis provided that they have not reverted previously, and that they, or a member of their household, were living in the property when the measured charges notice was issued. The request for reversion must be made within 12 months of the first day on which a measured basis of charging applied. If a consumer requests reversion to an unmeasured basis of charging, water companies must start charging on that basis 12 months after the consumer was first charged on a measured basis, or as soon as possible thereafter. Finally, where a consumer is paying for water on a measured basis, the section provides that the foul water drainage element of the sewerage services must be charged on the same basis.