

# **WATER ACT 2014**

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## **EXPLANATORY NOTES**

### **COMMENTARY**

#### **Part 5**

#### **Miscellaneous**

#### ***Section 88: Sustainable drainage systems: non-performance bonds***

304. This section amends Schedule 3 to the Flood and Water Management Act 2010. This relates to the situation where a non-performance bond is required as a condition of approval of a drainage system under Schedule 3, and the bond is provided by a third party specialist bondsman on behalf of the developer. Section 88 ensures that, where a payment is made under the bond, any excess is refunded to the person that made the payment under the bond, rather than always being made to the developer.