



Water Act 2014

2014 CHAPTER 21

PART 1

WATER INDUSTRY

CHAPTER 2

WATER AND SEWERAGE UNDERTAKERS

Relevant undertakers' charges

19 Charges for providing a public sewer etc

- (1) The Water Industry Act 1991 is amended as follows.
- (2) In section 99 (financial conditions for compliance with the duty in section 98 to provide a public sewer or lateral drain)—
 - (a) in subsection (1)(b) (condition as to providing security), for the words from “such security” to “reasonably required” there is substituted “such security as charging rules allow and the undertaker may have required”;
 - (b) in subsection (2) (undertaking to pay in respect of public sewer), for paragraph (a) there is substituted—
 - “(a) bind the person or persons mentioned in that subsection to pay to the undertaker such charges as the undertaker may impose in accordance with charging rules, and”;
 - (c) in subsection (2A) (undertaking to pay in respect of lateral drain), for paragraph (a) there is substituted—
 - “(a) bind the person or persons mentioned in that subsection to pay to the undertaker such charges as the undertaker may impose in accordance with charging rules, and”;
 - (d) subsections (4) and (5) (interest on sums deposited by way of security) are repealed;

Status: This is the original version (as it was originally enacted).

- (e) in subsection (6) (reference of disputes to the Water Services Regulation Authority), in paragraph (b), after “the amount” there is inserted “or amounts by way of charges”.
- (3) In section 101B (power to provide lateral drain following provision of public sewer)—
- (a) in subsection (3) (obligation to pay for drain requested), for “the costs reasonably incurred in or in connection with providing that drain” there is substituted “such charges as the undertaker may impose in accordance with charging rules”;
 - (b) after subsection (3) there is inserted—
 - “(3A) The sewerage undertaker may require the person making a request under this section to provide such security for the payment of the charges as charging rules allow.”;
 - (c) in subsection (4) (reference of disputes to Authority), for paragraph (b) there is substituted—
 - “(b) the amount of any charge imposed.”;
 - (d) in subsection (4), after paragraph (b) there is inserted “or
 - (c) the security required to be provided.”.
- (4) In section 107 (right of a sewerage undertaker to undertake the making of a communication with a public sewer)—
- (a) in subsection (3)(b)(i) (no obligation for undertaker to act until paid an estimated cost of the work in advance), for “the cost of the work” there is substituted “the amount by way of charges that the undertaker may impose in accordance with charging rules for making the connection”;
 - (b) in subsection (3)(b)(ii) (no obligation for undertaker to act until given security for payment), for “such security” to the end there is substituted “such security for the payment of that amount as charging rules allow and it may have required.”;
 - (c) for subsection (4), there is substituted—
 - “(4) If a payment to a sewerage undertaker under subsection (3) exceeds the charges that may, in the event, be imposed in accordance with charging rules for making the connection in question, the excess is to be repaid by the undertaker; and, if and so far as those charges are not covered by a payment under subsection (3), those charges are to be paid by the person for whom the work was undertaken.”;
 - (d) in subsection (4A) (reference to disputes to Authority), in paragraph (a), for “of the cost of works” there is substituted “of the amount of charges”;
 - (e) in subsection (4A), for paragraph (b) (and the “or” following it) there is substituted—
 - “(b) the security required by the undertaker, or”;
 - (f) in subsection (4A), for paragraph (c) there is substituted—
 - “(c) whether any excess is repayable, or any charges are payable, under subsection (4), or the amount of any such excess or charges.”.
- (5) In section 146 (connection charges etc, and charges for highway drainage), in subsection (5)(a), after “expenses incurred by it in” there is inserted “, or charges imposed by it for,”.