



Water Act 2014

2014 CHAPTER 21

PART 1

WATER INDUSTRY

CHAPTER 4

RETAIL EXIT: NON-HOUSEHOLD PREMISES

45 Transfer of undertaking

- (1) Exit regulations about the transfer of a part of a relevant undertaker's undertaking may include provision for the making of a scheme to transfer property, rights and liabilities where an exit application has been granted.
- (2) Exit regulations about the transfer of a part of a relevant undertaker's undertaking may include provision about arrangements under Chapter 1 of Part 5 of the Water Industry Act 1991 for fixing, demanding and recovering charges.
- (3) Provision under subsection (2) may include—
 - (a) provision for and in connection with treating such arrangements as if they were agreements between the undertaker and the person liable to pay such charges;
 - (b) provision about the terms and conditions of such agreements.
- (4) Exit regulations may make provision for a scheme under subsection (1) to contain—
 - (a) provision identifying the property, rights and liabilities to be transferred (which may include property, rights and liabilities that would not otherwise be capable of being transferred);
 - (b) provision for the division of property, rights and liabilities, including—
 - (i) provision creating an interest in or right over property;
 - (ii) provision creating new rights and liabilities;

Status: This is the original version (as it was originally enacted).

- (iii) incidental provision as to the property, rights and liabilities of other persons;
 - (c) provision about the consideration to be provided (and about the enforcement of such provision).
- (5) Subsection (4) is not exhaustive of what a scheme may contain.