



Water Act 2014

2014 CHAPTER 21

PART 1

WATER INDUSTRY

CHAPTER 4

RETAIL EXIT: NON-HOUSEHOLD PREMISES

46 Operation of retail market

- (1) Exit regulations about the operation of the water industry in relation to a retail exit area may include such provision as is described in the following subsections.
- (2) Exit regulations may make provision for and in connection with requiring a relevant undertaker to impose on an eligible licensee only such charges under a section 66D agreement or a section 117E agreement as would enable the licensee to fulfil its obligations under agreements (including deemed agreements) transferred to the licensee from the undertaker under the regulations.
- (3) Exit regulations may make provision for and in connection with requiring a water supply or sewerage licensee, where the licensee is providing services under the licensee's licence in relation to a retail exit area, to provide such services under that licence in relation to that area as the regulations may specify.
- (4) Exit regulations may make provision for and in connection with such arrangements between a water supply or sewerage licensee and a relevant undertaker as would enable the licensee to comply with requirements imposed on it under subsection (3).
- (5) Exit regulations may make provision as to the functions of a relevant undertaker in relation to a retail exit area and may, in particular, modify or disapply a duty imposed on a relevant undertaker by—
 - (a) section 63AC(2) (interim duty to supply water), or
 - (b) section 110L(2) (interim duty to provide sewerage services).

Status: This is the original version (as it was originally enacted).

- (6) Exit regulations may provide for a water supply or sewerage licensee that—
- (a) is a company,
 - (b) is providing services under its licence in relation to a retail exit area, and
 - (c) satisfies such criteria as may be specified by the regulations (which may include criteria as to market share),
- to be subject to provision for special administration (see section 23 of, and Schedule 2 to, the Water Industry Act 1991) in such circumstances as the regulations may specify.
- (7) Exit regulations may include provision—
- (a) requiring relevant undertakers, water supply licensees and sewerage licensees to provide such information as the regulations may specify to customers;
 - (b) requiring relevant undertakers, water supply licensees and sewerage licensees to provide such information as the regulations may specify to the WSRA or the Secretary of State;
 - (c) requiring the WSRA to record such information as the regulations may specify in the register it maintains under section 195 of the Water Industry Act 1991.
- (8) Provision under subsection (7)(b) may in particular specify information about customers and the arrangements under which they receive services.