



Water Act 2014

2014 CHAPTER 21

PART 1

WATER INDUSTRY

CHAPTER 1

WATER SUPPLY LICENCES AND SEWERAGE LICENCES

Licensing arrangements between England and Wales and Scotland

6 Arrangements with the Water Industry Commission for Scotland

- (1) The Water Industry Act 1991 is amended as follows.
- (2) After section 17F (procedure for granting and varying licences) there is inserted—

“17FA Applications forwarded by the Water Industry Commission for Scotland

- (1) The Secretary of State may by regulations make provision about—
 - (a) treating a 2005 Act application for the grant of a water services licence under section 6 of the 2005 Act as being also an application under section 17F for the grant of a water supply licence giving only a retail authorisation or a restricted retail authorisation or both;
 - (b) treating a 2005 Act application for the grant of a sewerage services licence under section 6 of the 2005 Act as being also an application under section 17F for the grant of a sewerage licence giving only a retail authorisation.
- (2) The regulations may in particular make provision about—
 - (a) the circumstances in which, and the conditions subject to which, a 2005 Act application is to be treated as an application under

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- section 17F for a water supply or sewerage licence giving a particular authorisation or particular authorisations;
 - (b) the time at which an application is to be treated as having been made;
 - (c) the processing of an application by the Authority.
- (3) Provision under subsection (2)(a) may require a 2005 Act application that is forwarded to the Authority—
- (a) to contain, or to be accompanied by, such information or information of such description as is specified by the regulations;
 - (b) to be accompanied by such documents or documents of such descriptions as are specified by the regulations;
 - (c) to be accompanied by a fee, or a fee of a description, specified by the regulations.
- (4) In this section and section 17FB—
- “the 2005 Act” means the Water Services etc. (Scotland) Act 2005;
 - “2005 Act application” means an application under paragraph 1 of Schedule 2 to the 2005 Act.

17FB Applications forwarded to the Water Industry Commission for Scotland

- (1) If the conditions in subsection (2) are satisfied, the Authority must—
- (a) forward to the Commission a copy of an application under section 17F for the grant of a water supply licence or sewerage licence, and
 - (b) send to the Commission such information and such fee as appear to the Authority to be required in order that the application may be treated by the Commission as a 2005 Act application for the grant of—
 - (i) a water services licence under section 6 of the 2005 Act, or
 - (ii) a sewerage services licence under section 6 of the 2005 Act, as the case may be.
- (2) The conditions are that—
- (a) the Authority is requested to do so by the applicant;
 - (b) the application under section 17F appears to the Authority to be an application that would be treated by the Commission as a 2005 Act application for the grant of—
 - (i) a water services licence under section 6 of the 2005 Act, or
 - (ii) a sewerage services licence under section 6 of the 2005 Act, as the case may be;
 - (c) the applicant has given the Authority—
 - (i) such information as is mentioned in subsection (1)(b), and
 - (ii) a means of sending to the Commission such fee as is mentioned in subsection (1)(b).
- (3) The Authority must—
- (a) forward a copy of the application, and
 - (b) send such information and fee as are mentioned in subsection (1)(b), before the end of the agreed period for an application of that description.

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(4) In this section—

“the agreed period”, in relation to an application under section 17F of a particular description, means the period agreed between the Authority and the Commission as the period applying to an application of that description for the purposes of subsection (3);

“the Commission” means the Water Industry Commission for Scotland.”

Commencement Information

- I1** [S. 6](#) in force at 1.4.2016 in so far as not already in force by [S.I. 2016/465](#), [art. 2\(c\)](#) (with [Sch. 2](#))
- I2** [S. 6\(1\)](#) in force at 18.12.2015 for specified purposes by [S.I. 2015/1938](#), [art. 2\(a\)\(i\)](#)
- I3** [S. 6\(2\)](#) in force at 18.12.2015 for specified purposes by [S.I. 2015/1938](#), [art. 2\(a\)\(ii\)](#)

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/1288, art. 3(c)(d) by [S.I. 2019/706 art. 2](#)
- specified provision(s) amendment to earlier commencing S.I. 2017/462, arts. 4, 5 by [S.I. 2017/926 art. 2](#)