



Water Act 1945

1945 CHAPTER 42

PART II

LOCAL ORGANISATION OF WATER SUPPLIES.

11 Power of Minister to authorise certain statutory water undertakers to supply premises outside their limits of supply.

- (1) If the Minister is satisfied that the owners or occupiers of premises in an area outside the limits of supply of any statutory water undertakers supplying water under a local enactment desire to obtain a supply of water from those undertakers, and that the giving of the supply is not likely to interfere with the supply of water for any purposes within the said limits, he may, on the application of those undertakers, and with the consent of any statutory water undertakers within whose limits of supply the area is situated, by order authorise the applicants to supply water in that area, or such part thereof as may be specified in the order, on such conditions as may be so specified:

Provided that a consent required for the purposes of this subsection shall not be unreasonably withheld, and any question whether or not consent is unreasonably withheld shall be referred to the Minister.

- (2) Where undertakers are by virtue of an order made under the last foregoing subsection supplying water to premises outside their limits of supply, any other statutory water undertakers within whose limits of supply the premises are situated may, in the absence of any agreement to the contrary, at any time give not less than three months' notice to the supplying undertakers that they are able and intend to give a supply of water to the premises in question:

Provided that a notice under this subsection shall not be valid unless it covers all the premises to which water is being supplied by virtue of the order made under the last foregoing subsection.

- (3) When, after the expiration of a notice given under the last foregoing subsection, the undertakers giving the notice commence to supply water to the premises covered by the notice, the undertakers who obtained the Minister's order shall, except for the

Status: This is the original version (as it was originally enacted).

purpose of recovering water rates, water charges and any other charges or Expenses recoverable by them, and of removing any pipes, plant or apparatus belonging to them, cease to have any rights or duties in respect of a supply to those premises:

Provided that the undertakers who obtained the Minister's order shall not remove any pipes, plant or apparatus which they are required by the undertakers giving the notice to leave in position, and any such pipes, plant or apparatus shall vest in the undertakers giving the notice.

- (4) The undertakers giving the notice shall pay to the undertakers who obtained the Minister's order such portion of any expenses reasonably incurred by them for the purpose of giving a supply to those premises, and such sum in respect of any pipes, plant or apparatus vested in the undertakers giving the notice by the last foregoing subsection, as may be agreed, or, in default of agreement, determined by an arbitrator appointed by the Minister.
- (5) While undertakers are by virtue of an order made under subsection (1) of this section authorised to supply water outside their limits of supply, the enactments relating to their undertaking shall have effect as if the area specified in the order were within those limits.