
STATUTORY INSTRUMENTS

2005 No. 3075

**The Water Supply (Exceptions from Supply
System Prohibitions) Regulations 2005**

Specified circumstances in which prohibition on use of a supply system does not apply

- 3.—(1) Subject to paragraph (2), section 66I(1) of the Act shall not apply where—
- (a) a water undertaker (“A”) is using the supply system of another water undertaker (“B”) under an agreement for a supply of water in bulk⁽¹⁾ by B to A;
 - (b) A is using B’s supply system under any enactment requiring that a supply of water in bulk be made by B to A; or
 - (c) a relevant person (“C”) is using the supply system of a water undertaker (“D”) pursuant to a relevant undertaking for the purpose of making a private supply to any premises.
- (2) Paragraph (1)(a) shall not apply in so far as—
- (a) A uses B’s supply system for the purpose of supplying water to premises within the geographical area to which A’s appointment relates; and
 - (b) the water has been introduced into B’s supply system for that purpose by A or by any relevant person under an agreement with A.
- (3) For the purposes of this regulation—
- (a) “relevant person” means—
 - (i) in paragraph (1)(c), a person who is not a water undertaker or a licensed water supplier; and
 - (ii) in paragraph (2)(b), a person other than A or B; and
 - (b) “relevant undertaking” means an undertaking entered into by D with C before 31st July 2002 under which a supply of water was made by D to C before that date.

(1) The expression “supply of water in bulk” has the meaning given by section 219(1) of the Act.