
STATUTORY INSTRUMENTS

2016 No. 744

**The Water and Sewerage Undertakers (Exit from
Non-household Retail Market) Regulations 2016**

PART 4

Effect of exit

Effect on water supply or sewerage licensees generally

Schemes for terms and conditions

29.—(1) A water supply licensee or sewerage licensee that is providing or proposes to provide services under its water supply or sewerage licence in relation to a retail exit area must make, and from time to time revise, a scheme containing the terms and conditions which, in the absence of agreed terms and conditions, are to apply to such services.

(2) A scheme under this regulation may make different provision for different purposes, or for different areas.

(3) As soon as practicable after a licensee makes or revises a scheme under this regulation, the licensee must—

- (a) publish the scheme, or revised scheme, on the licensee's website, and
- (b) send a copy of the scheme, or revised scheme, to the WSRA.

(4) The WSRA may give a direction that terms and conditions applying to a supply of water or the provision of sewerage services in accordance with a scheme under this regulation must be modified as specified in the direction.

(5) A direction under paragraph (4) may apply—

- (a) generally to terms and conditions applying in accordance with a scheme under this regulation, or
- (b) to terms and conditions so applying in any particular case.

(6) It is the duty of a water supply or sewerage licensee to comply with a direction under paragraph (4), and this duty is enforceable under section 18 of the 1991 Act.

(7) An acquiring licensee's scheme under this regulation must provide for each transferred customer to be billed by the same method, and to pay by the same method, as immediately before the exit date.

Code about supply of water or provision of sewerage services etc. in retail exit area

30.—(1) The WSRA must issue a code in relation to—

- (a) supplies of water to which a scheme under regulation 29 relates, and
- (b) the provision of sewerage services to which a scheme under regulation 29 relates.

- (2) The code may, in particular, make provision about—
 - (a) terms and conditions contained in schemes under regulation 29;
 - (b) licensees informing owners or occupiers of premises of their schemes, before agreeing any terms and conditions for the provision of services.
- (3) If the WSRA considers that a water supply or sewerage licensee is not acting as required by provision contained in the code as mentioned in paragraph (2), the WSRA may give the licensee a direction to do, or not to do, a particular thing specified in the direction.
- (4) It is the duty of a water supply or sewerage licensee to comply with a direction under paragraph (3), and this duty is enforceable under section 18 of the 1991 Act.
- (5) The WSRA must from time to time review the code and, if appropriate, issue a revised code.