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STATUTORY INSTRUMENTS

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**2020 No. 214**

**The Isles of Scilly (Application of Water Legislation) Order 2020**

**Amendments to the Isles of Scilly (Application of Water Legislation) Order 2019**

**6.—(1)** Article 4 of the Isles of Scilly (Application of Water Legislation) Order 2019<sup>(1)</sup> is amended as follows.

(2) For paragraph (2)(c) substitute—

“(c) for subsection (2) there were substituted—

“(2) Subject to subsections (3) to (6)—

(a) the Secretary of State; and

(b) with the consent of or in accordance with a general authorisation given by the Secretary of State, the Authority,

shall have power, by notice to a company holding an appointment under this Chapter, to terminate the appointment or to vary the area to which it relates.

This subsection does not apply in the case of the variation of an area if the power under subsection (2A) is exercisable in relation to that variation.

(2A) Subject to subsections (3) to (6), where there is no existing relevant undertaker for the Isles of Scilly—

(a) the Secretary of State; and

(b) with the consent of or in accordance with a general authorisation given by the Secretary of State, the Authority,

shall have power, by notice to a company holding an appointment under this Chapter, to vary the area to which it relates to include the Isles of Scilly.

In this Act, “original Isles of Scilly variation” means a variation made under this subsection.”.”.

(3) After paragraph (8) insert—

“(8A) Section 102(2) is to be read as if at the end there were inserted—

“; but nothing in this subsection shall confer any right to make an application under this subsection before 1st April 2025”.”.

(4) For paragraph (9) substitute—

“(9) Section 105(1)(b) is to be read as if at the end there were inserted “following an application under section 102(2)”.”.