



# Water Industry (Scotland) Act 2002

## 2002 asp 3

### PART 3

#### SCOTTISH WATER

#### *Charges*

#### **[<sup>F1</sup>29C Exercise of functions regarding charges**

- (1) Scottish Water must exercise its functions under sections 29A and 29F for the purposes of ensuring that subsections (4) and (5) are complied with.
- (2) The Commission must—
  - (a) exercise its functions under sections 29A, 29B and 29F for the purposes of ensuring that subsections (4) and (5) are complied with,
  - (b) exercise its functions under section 29E for the purposes of ensuring that subsection (5) is complied with, and
  - (c) in exercising its functions under those sections, have regard to—
    - (i) any guidance issued to Scottish Water by the Scottish Ministers, and
    - (ii) any directions given to Scottish Water under section 44 or 56, so far as relevant in relation to charges schemes.
- (3) The Scottish Ministers must—
  - (a) provide the Commission with such information as it may require for the purpose of subsection (2)(c); and
  - (b) in particular, send to the Commission copies of any guidance and directions referred to in that subsection when issued or given.
- (4) This subsection is complied with if (so far as is consistent with compliance with subsection (5)) a charges scheme gives effect to any statement issued under section 29D.
- (5) This subsection is complied with if (so far as is consistent with compliance with section 41(1)) Scottish Water's receipts from the aggregate of—
  - (a) its income from charges for services provided in the exercise of its core functions, and

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*Changes to legislation: There are currently no known outstanding effects for the Water Industry (Scotland) Act 2002, Section 29C. (See end of Document for details)*

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- (b) the amount of—
- (i) any grants paid to it under subsection (1) of section 42,
  - (ii) money it may borrow under subsection (3) of that section, and
  - (iii) any other resources reasonably available to it,
- for the purposes of the exercise of those functions,  
is not less than sufficient to meet the expenditure required for the effective exercise of those functions.]

**Annotations:**

**Amendments (Textual)**

- F1** Ss. 29-29G substituted for s. 29 (1.7.2005) by [Water Services etc. \(Scotland\) Act 2005 \(asp 3\)](#), **ss. 21(1), 37(2)** (with [s. 36](#)); [S.S.I. 2005/351](#), [art. 2](#), [sch. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Water Industry (Scotland) Act 2002, Section 29C.