



Water Industry (Scotland) Act 2002

2002 asp 3

PART 3

SCOTTISH WATER

Charges

37 Collection of charges by local authority

- (1) The Scottish Ministers may by order determine—
- (a) that as respects specified services provided, within a financial year specified in the order, by Scottish Water to dwellings, or to such description of dwellings as the order may specify—
 - (i) within the area of a local authority, or
 - (ii) within such part of that area as the order may specify,the authority and not Scottish Water is to demand and recover charges payable for those services under a charges scheme, and
 - (b) that the authority is, at such intervals as may be so specified, to make such payments to Scottish Water (to which no other amount is to be payable under the charges scheme for the services provided) as may be so specified or as may be determined in accordance with the provisions of the order.
- (2) In subsection (1), “specified services” means services specified, or of a description specified, in the order.
- (3) An order under subsection (1) may include provision as to—
- (a) forms and procedures which the local authority is to adopt in demanding payment,
 - (b) circumstances in which a customer of Scottish Water who is aggrieved by a decision or calculation of the local authority may appeal—
 - (i) except in a case specified by virtue of sub-paragraph (ii), to [^{F1}the First-tier Tribunal for Scotland], or
 - (ii) in such cases as the order may specify, to a body constituted under the order (or under a previous such order) to consider appeals as respects any such case,

Changes to legislation: There are currently no known outstanding effects for the Water Industry (Scotland) Act 2002, Section 37. (See end of Document for details)

- (c) procedures to be followed in any appeal by virtue of paragraph (b),
 - (d) the provision, for the purposes of this section, of information by Scottish Water to the local authority,
 - (e) the keeping by the local authority of accounts and records as respects their functions by virtue of this section and the exhibition of, or of copies of, such accounts and records to Scottish Water.
- (4) Schedule 4 makes provision about recovery by a local authority of unpaid charges.
- (5) In this section and section 38, “dwelling” has the same meaning as in Part II of the Local Government Finance Act 1992 (c.14).

Textual Amendments

- F1** Words in s. 37(3)(b)(i) substituted (1.4.2023) by [The First-tier Tribunal for Scotland \(Transfer of Functions of Valuation Appeals Committees\) Regulations 2023 \(S.S.I. 2023/45\)](#), reg. 1(2), **sch. 2 para. 11(2)** (with sch. 1 paras. 1-4, 13-20)

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