



Water Industry (Scotland) Act 2002

2002 asp 3

PART 3

SCOTTISH WATER

Finances

43 Guarantees

- (1) The Scottish Ministers may guarantee, in such manner and on such conditions as they think fit, the discharge of any financial obligation in connection with any sums borrowed by Scottish Water or any subsidiary of Scottish Water.
- (2) Immediately after a guarantee is given under this section, the Scottish Ministers must lay a statement of the guarantee before the Parliament.
- (3) Where any sum is paid out in fulfilment of a guarantee under this section, Scottish Water must make to the Scottish Ministers, at such times and in such manner as they may from time to time direct—
 - (a) payments of such amounts as they may so direct in or towards repayment of the sums so paid out, and
 - (b) payments of interest, at such rate as they may so direct, on the amount outstanding for the time being in respect of sums so paid out.
- (4) In subsection (1), “subsidiary” [^{F1}has the meaning given by section 1159 of the Companies Act 2006].

Textual Amendments

- F1** Words in s. 43(4) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 200(3)** (with art. 10)

Changes to legislation:

There are currently no known outstanding effects for the Water Industry (Scotland) Act 2002, Section 43.