



# Water Services etc. (Scotland) Act 2005

## 2005 asp 3

### PART 2

#### PROVISION OF WATER AND SEWERAGE SERVICES

##### *Scottish Water: services via licensed providers*

#### **16 Scottish Water to provide services**

- (1) Where a water services provider has made arrangements with the occupier of eligible premises for the supply of water to the premises, the provider may request Scottish Water to supply (or continue to supply) water through the public water supply system to the premises.
- (2) Scottish Water must, so far as is consistent with the exercise of its core functions as respects the supply of water, supply water as so requested subject to agreement between Scottish Water and the provider as to the terms and conditions that are to apply in relation to that supply.
- (3) A duty to supply water under subsection (2)—
  - (a) ceases if—
    - (i) the arrangements mentioned in subsection (1) have come to an end (unless the duty is continued under section 17(1)); or
    - (ii) the supply is discontinued under section 18; and
  - (b) may be superseded by a new duty under subsection (2).
- (4) Where a sewerage services provider has made arrangements with the occupier of eligible premises for the provision of sewerage to, or disposal of sewage from, the premises, the provider may request Scottish Water to provide (or continue to provide) sewerage to, or dispose of (or continue to dispose of) sewage from, the premises through the public sewerage system.
- (5) Scottish Water must, so far as is consistent with the exercise of its core functions as respects the provision of sewerage and disposal of sewage, provide sewerage and dispose of sewage as so requested subject to agreement between Scottish Water and the provider as to the terms and conditions that are to apply in relation to that provision or disposal.

---

*Changes to legislation: There are currently no known outstanding effects for the  
Water Services etc. (Scotland) Act 2005, Section 16. (See end of Document for details)*

---

- (6) A duty to provide sewerage or dispose of sewage under subsection (5)—
- (a) ceases if the provision or (as the case may be) disposal is discontinued under section 20; and
  - (b) may be superseded by a new duty under subsection (5).
- (7) Where no agreement as is mentioned in subsection (2) or (5) is reached, the Commission, on the application of the provider in question, may determine the terms and conditions that are to apply in relation to the supply or (as the case may be) provision or disposal; and those terms and conditions have effect as if agreed between the provider and Scottish Water.

---

**Commencement Information**

**II** S. 16 in force at 7.9.2006 by [S.S.I. 2006/445](#), art. 2, [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Water Services etc. (Scotland) Act 2005, Section 16.