



Water Services etc. (Scotland) Act 2005

2005 asp 3

PART 2

PROVISION OF WATER AND SEWERAGE SERVICES

[^{F1}Contractual matters

[^{F1}20A Deemed contracts

- (1) Subsection (4) applies as respects the circumstances specified in subsection (2) or (3).
- (2) The circumstances are that water is supplied to eligible premises by Scottish Water otherwise than in pursuance of arrangements made between—
 - (a) a water services provider, and
 - (b) the occupier of the premises.
- (3) The circumstances are that sewerage is provided to, or sewerage is disposed of from, eligible premises by Scottish Water otherwise than in pursuance of arrangements made between—
 - (a) a sewerage services provider, and
 - (b) the occupier of the premises.
- (4) The relevant parties are deemed to have made arrangements with each other for the provision to the premises of the services to which subsection (2) or (as the case may be) (3) relates.
- (5) The terms and conditions set by a scheme made under section 20B are incorporated into the arrangements—
 - (a) as if they were agreed by the relevant parties, and
 - (b) so far as they are relevant having regard to the purposes or areas to which they extend.
- (6) The arrangements are effective as from the later of—
 - (a) the day on which the premises began to receive those services,
 - (b) the day on which the occupier acquired the premises,

Changes to legislation: There are currently no known outstanding effects for the Water Services etc. (Scotland) Act 2005, Section 20A. (See end of Document for details)

- (c) the day on which section 32 of the Water Resources (Scotland) Act 2013 came into force.
- (7) Sections 16 to 20 have effect in relation to the arrangements as if they were made ordinarily between the relevant parties.
- (8) In this section—
- (a) the references to the relevant parties are to—
 - (i) the water services or (as the case may be) sewerage services provider that is designated in accordance with a scheme made under section 20B, and
 - (ii) the occupier of the premises,
 - (b) the references to the occupier of premises are, if the premises are unoccupied, to be construed as references to the owner of the premises.]

Textual Amendments

- F1** Ss. 20A, 20B and cross-heading inserted (10.6.2013 for specified purposes, 1.4.2016 in so far as not already in force) by [Water Resources \(Scotland\) Act 2013 \(asp 5\)](#), **ss. 32, 56(1)(2)**; [S.S.I. 2013/163](#), [art. 3](#), [Sch.](#); [S.S.I. 2016/14](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Water Services etc. (Scotland) Act 2005, Section 20A.