



# Water Resources (Scotland) Act 2013

## 2013 asp 5

### PART 5

#### NON-DOMESTIC SERVICES

#### 33 Notification of occupancy

(1) In section 34 (orders and regulations) of the 2005 Act, after subsection (2) there is inserted—

“(2A) Regulations under section 20C(4) or 20D(4) are subject to the negative procedure.”.

(2) After section 20B of the 2005 Act there is inserted—

#### “20C Notification of occupancy

(1) Subsection (2) applies to any premises—

- (a) to which water is supplied under section 16(2), or
- (b) to which sewerage is provided, or from which sewage is disposed of, under section 16(5).

(2) The owner of the premises must give the water or sewerage services provider the required information if there is a change in occupancy because they—

- (a) are occupied by a new occupier, or
- (b) have fallen vacant.

(3) In subsection (2), “required information” means—

- (a) address of the premises,
- (b) identity of the new occupier or (as the case may be) fact that the premises have fallen vacant,
- (c) day on which the change in occupancy occurred.

(4) The Scottish Ministers may by regulations—

- (a) make rules for timing and procedure in connection with subsections (1) and (2),
- (b) by addition, modify the list in subsection (3).

## **20D Liability for charges**

- (1) Subsection (2) applies if, without reasonable excuse, an owner of any premises to which section 20C(1) relates fails to comply with section 20C(2) (except where the new occupier is the owner or the premises have fallen vacant).
- (2) The new occupier's liability (if any) to the water or sewerage services provider for the relevant charges becomes shared jointly and severally with the owner.
- (3) In subsection (2), "relevant charges" means charges arising by virtue of any arrangements to which section 16(1) or (as the case may be) (4) relates.
- (4) The Scottish Ministers may by regulations make rules for—
  - (a) timing and procedure in connection with subsections (1) and (2),
  - (b) exempting an owner from liability under subsections (1) and (2) where, although information supplied by the owner is inaccurate or incomplete, the owner has taken prescribed steps to ensure its accuracy or completeness."