

SCHEDULE 2

TRANSITIONAL, TRANSITORY AND SAVING PROVISIONS

PART I

APPLICATIONS FOR WATER OR SEWERAGE SERVICES

Water supply

1.—(1) Any application made to the Department under Article 17(1)(a) of the 1973 Order which is outstanding immediately before the transfer date in respect of any premises shall have effect on and after that date—

- (a) where it relates to the supply of water for domestic purposes to premises that consist in the whole or any part of a building—
 - (i) as if it were a demand made to the water undertaker for the purposes of Article 91(2) of the 2006 Order on the transfer date; and
 - (ii) as if any term or condition imposed by the Department under Article 17(3) of the 1973 Order in respect of the application were a condition imposed by the water undertaker under Article 92 of the 2006 Order, in so far as it is one which may be imposed by a water undertaker under that Article, or otherwise were a condition to the satisfaction of which compliance with any duty under Article 91 of the 2006 Order is subject, but without prejudice to the right of the water undertaker to impose such other conditions under Article 92 of that Order as it thinks fit; or
- (b) in any other case, as if it were a request made to the water undertaker for the purposes of Article 94 of the 2006 Order on the transfer date.

(2) References in Article 91(5) of the 2006 Order to the time when the demand is made shall be taken, in relation to an application having effect as a demand by virtue of sub-paragraph (1)(a) (i), as references to the time when the application was made to the Department under Article 17(1) (a) of the 1973 Order.