

SCHEDULE 2

TRANSITIONAL, TRANSITORY AND SAVING PROVISIONS

PART IV

CHARGES FOR SERVICES

Disconnection for non-payment

22.—(1) Where—

- (a) before the transfer date premises are disconnected by the Department from a main of the Department under Article 53(5) of the 1973 Order or regulation 7(1) of the Water Charges Regulations (Northern Ireland) 1973 and remain so disconnected immediately before the transfer date; and
- (b) a demand is made to the water undertaker under Article 91(2) of the 2006 Order (or takes effect as if made under Article 91(2) of that Order in accordance with paragraph 1), by any person in respect of those premises,

Article 92(2)(a) of the 2006 Order shall apply in relation to that demand as if the reference to any amount owed by him to the undertaker included a reference to any amount owed by him to the Department, and the reference to expenses reasonably incurred in cutting off any supply included any expenses incurred by the Department in cutting off the supply under Article 53(5) of the 1973 Order or regulation 7 of those regulations.

(2) Any notice served by the Department on any person of its intention to disconnect premises from a main of the Department under regulation 7(1) of the Water Charges Regulations (Northern Ireland) 1973 which is extant immediately before the transfer date in respect of any premises shall, except in the case of any premises specified in Schedule 2 to the 2006 Order, have effect on and after that date as if it were a notice served by the water undertaker for the purposes of Article 100(1)(b) of the 2006 Order on that person.

(3) References in Article 100(1)(b) of the 2006 Order to the day after a person is served with notice shall be taken, in relation to a notice having effect as a notice under that Article by virtue of sub-paragraph (2), as references to the day after a person is served with notice by the Department under regulation 7(1) of the Water Charges Regulations (Northern Ireland) 1973.

(4) In relation to a notice having effect as mentioned in sub-paragraph (2), where, within the period of 7 days after a person is served with the notice, that person notifies the Department (before the transfer date) or the water undertaker (on or after the transfer date) that he disputes his liability to pay the charges in question, Article 100(3) of the 2006 Order shall apply.