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SCHEDULES

SCHEDULE 5

AMENDMENT OF THE WATER (SCOTLAND) ACTS 1946 AND 1949

PART III

AMENDMENT HAVING EFFECT AS FROM THE SECOND APPOINTED DAY

The Water (Scotland) Act 1946 c. 42

26 For section 18, there shall be substituted the following section—

“18 Supply of water by regional water board to premises outside their region.

- (1) A regional water board, with the consent of the Secretary of State, may give a supply of water to premises situated outside their region.
- (2) The Secretary of State shall not give his consent under the last foregoing subsection unless he is satisfied that the regional water board of the region in which the premises are situated are unable to give a supply to those premises.
- (3) Nothing in subsection (1) of this section shall affect the giving by a regional water board of a supply of water where that supply was being given immediately before the coming into effect of this section.
- (4) Where a regional water board are supplying water to premises outside their region, whether by virtue of subsection (1) of this section or otherwise, the regional water board of the region in which those premises are situated may at any time give not less than three months' notice to the board giving the supply that they are able and intend to give a supply of water to all the premises in that part of their region in which the premises in question are situated.
- (5) When, after the expiration of a notice given under the last foregoing subsection, the board in whose region the premises are situated commence to supply water to the part of their region in which those premises are situated, the board previously giving the supply shall, except for the purpose of recovering any charges or expenses recoverable by them, and of removing any pipes, plant or apparatus belonging to them, cease to have any functions in respect of a supply to those premises.
- (6) The board previously giving the supply shall not remove any pipes, plant or apparatus which they are required by the board in whose region the premises are situated to leave in position, and any such pipes, plant or apparatus shall vest in the second-mentioned board.

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- (7) The board in whose region the premises are situated shall pay to the board previously giving the supply such portion of any expenses reasonably incurred by them for the purpose of giving a supply to those premises, and such sum, in respect of any pipes, plant and apparatus vested in the board in whose region the premises are situated, by the last foregoing subsection, as may be agreed, or in default of agreement, determined by arbitration.”