

**Changes to legislation:** Water (Scotland) Act 1980, Part V is up to date with all changes known to be in force on or before 26 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 4

#### PROVISIONS TO BE INCORPORATED IN ORDERS RELATING TO WATER UNDERTAKINGS

##### Modifications etc. (not altering text)

- C1** Sch. 4 extended by Gas Act 1986 (c. 44, SIF 44:2), s. 3, Sch. 7 para. 2 (1) (xxxviii), Sch. 8 para. 33
- C1** Sch. 4: power to apply conferred (1.10.1991) by Natural Heritage (Scotland) Act 1991 (c. 28, SIF 46:1, 130), s. 20(10), Sch. 7 para. 5(1)(b)

### PART V

#### SUPPLY OF WATER FOR PUBLIC PURPOSES

##### *Undertakers to fix and maintain fire hydrants on pipes.*

- 19 The undertakers shall, at the request of [<sup>F1</sup>the Scottish Fire and Rescue Service] concerned, fix fire hydrants on their mains (other than trunk mains) at such places as may be most convenient for affording a supply of water for extinguishing any fire which may break out within the limits of supply, and shall keep in good order and from time to time renew every such hydrant.

##### Textual Amendments

- F1** Words in Sch. 4 para. 19 substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), sch. 7 para. 51(3); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

##### Modifications etc. (not altering text)

- C1** Sch. 4 paras. 19-22 applied (2.8.2005) by virtue of Fire (Scotland) Act 2005 (asp 5), s. 21(1) (with s. 77); S.S.I. 2005/392, art. 2

##### *Undertakers to deposit keys of hydrants at certain places.*

- 20 As soon as any such hydrant is complete, the undertakers shall, if required by the [<sup>F2</sup>Scottish Fire and Rescue Service], deposit a key thereof at each place within the limits of supply where any public fire engine is kept, and in such other places as may be appointed by the [<sup>F2</sup>Scottish Fire and Rescue Service].

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#### Textual Amendments

**F2** Words in [Sch. 4 para. 20](#) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 7 para. 51\(4\)](#); S.S.I. 2013/51, [art. 2](#) (with transitional provisions and savings in S.S.I. 2013/121)

#### Modifications etc. (not altering text)

**C2** Sch. 4 paras. 19-22 applied (2.8.2005) by virtue of [Fire \(Scotland\) Act 2005 \(asp 5\)](#), [s. 21\(1\)](#) (with s. 77); S.S.I. 2005/392, [art. 2](#)

#### *Cost of hydrants.*

- 21 The cost of such hydrants as aforesaid and of fixing, maintaining and renewing them, and of providing such keys as aforesaid shall be defrayed by the [<sup>F3</sup>Scottish Fire and Rescue Service].

#### Textual Amendments

**F3** Words in [Sch. 4 para. 21](#) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 7 para. 51\(5\)](#); S.S.I. 2013/51, [art. 2](#) (with transitional provisions and savings in S.S.I. 2013/121)

#### Modifications etc. (not altering text)

**C3** Sch. 4 paras. 19-22 applied (2.8.2005) by virtue of [Fire \(Scotland\) Act 2005 \(asp 5\)](#), [s. 21\(1\)](#) (with s. 77); S.S.I. 2005/392, [art. 2](#)

- [<sup>F4</sup>21A The Scottish Ministers may by regulations make provision as to—  
 (a) the persons (other than Scottish Water) from whom; or  
 (b) the circumstances in which,  
 [<sup>F5</sup>the Scottish Fire and Rescue Service] may recover costs defrayed under section 21 of this Schedule.]

#### Textual Amendments

**F4** Sch. 4 para. 21A inserted (2.8.2005) by virtue of [Fire \(Scotland\) Act 2005 \(asp 5\)](#), [s. 22\(2\)](#) (with s. 77); S.S.I. 2005/392, [art. 2](#)

**F5** Words in [Sch. 4 para. 21A](#) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [sch. 7 para. 51\(6\)](#); S.S.I. 2013/51, [art. 2](#) (with transitional provisions and savings in S.S.I. 2013/121)

#### *Hydrants to be placed near factories, etc., at request of owners or occupiers.*

- 22 The undertakers shall, at the request and expense of the owner or occupier of any factory or place of business situated in, or near to, a [<sup>F6</sup>road] in which a pipe of the undertakers is laid (not being a trunk main, and being of sufficient dimensions to carry a hydrant) fix on the pipe and keep in good order and from time to time renew one or more fire hydrants, to be used only for extinguishing fires, as near as conveniently may be to that factory or place of business, and shall also at his expense

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comply as respects each such hydrant with the requirements of [<sup>F7</sup>section 20 of this Schedule].

**Textual Amendments**

- F6** Word substituted by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(1), **Sch. 9 para. 81(15)(b)**
- F7** Words in Sch. 4 s. 22 substituted (2.8.2005) by Fire (Scotland) Act 2005 (asp 5), **s. 22(3)** (with s. 77); S.S.I. 2005/392, **art. 2**

**Modifications etc. (not altering text)**

- C4** Sch. 4 paras. 19-22 applied (2.8.2005) by virtue of Fire (Scotland) Act 2005 (asp 5), **s. 21(1)** (with s. 77); S.S.I. 2005/392, **art. 2**

23 ..... **F8**

**Textual Amendments**

- F8** Sch. 4 para. 23 repealed by Local Government and Planning (Scotland) Act 1982 (c. 43, SIF 81:2), s. 66(2), **Sch. 4 Pt. 1**

*Supply of water for cleansing sewers, etc., and for other public purposes.*

- 24 (1) In every pipe on which a hydrant is fixed the undertakers shall provide a supply of water for cleansing sewers and drains, for cleansing and watering [<sup>F9</sup>roads] and for supplying any public pumps, baths or washhouses.
- (2) A supply of water for the said purposes shall be provided at such rates, in such quantities and upon such terms and conditions as may be agreed between the [<sup>F10</sup>local] authority concerned and the undertakers [<sup>F11</sup>or, in relation to roads for which the Secretary of State is roads authority, between the Secretary of State and the undertakers].

**Textual Amendments**

- F9** Word substituted by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(1), **Sch. 9 para. 81(15)(c)(i)**
- F10** Word in Sch. 4 section 24(2) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 119(57)(a)(i)**; S.I. 1996/323, **art. 4(1)(c)**
- F11** Words in Sch. 4 section 24(2) added (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 119(57)(a)(ii)**; S.I. 1996/323, **art. 4(1)(c)**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 24(1A) inserted by [2003 asp 3 sch. 4 para. 3\(3\)](#)
- s. 110A certain functions transferred by [S.I. 1999/1750 art. 3Sch. 2](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 110A by 1995 c. 25, Sch. 21 para. 5 has not yet been brought into force)
- s. 110A inserted by [1995 c. 25 Sch. 21 para. 5](#)
- s. 110A(7) words substituted by [1997 c. 11 Sch. 2 para. 30\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 110A by 1995 c. 25, Sch. 21 para. 5 has not yet been brought into force)
- s. 110A(8) words substituted by [1997 c. 11 Sch. 2 para. 30\(2\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 110A by 1995 c. 25, Sch. 21 para. 5 has not yet been brought into force)
- Sch. 3 para. 4(3)(4) inserted by [2003 asp 3 sch. 4 para. 4\(2\)](#)
- Sch. 3 para. 6(1A) inserted by [2003 asp 3 sch. 4 para. 4\(3\)](#)
- Sch. 4 s. 34(3) inserted by [2003 asp 3 sch. 4 para. 5](#)