



# Water Act 1989

## 1989 CHAPTER 15

### PART II

#### WATER SUPPLY AND SEWERAGE SERVICES

### CHAPTER II

#### WATER SUPPLY

##### *Bulk supplies of water*

### **39 Bulk supply between water undertakers**

- (1) Where, on the application of a water undertaker—
  - (a) it appears to the Director that it is necessary or expedient for the purposes of this Chapter that another water undertaker should give a supply of water in bulk to the applicant; and
  - (b) he is satisfied that the giving and taking of such a supply cannot be secured by agreement,the Director may by order require the undertakers to give and to take such a supply for such period and on such terms and conditions as may be provided in the order.
- (2) An order under this section shall have effect as an agreement between the water undertakers in question but may be varied or revoked by a subsequent order made by the Director on the application of either of those undertakers, as well as by agreement between the undertakers.
- (3) The Director shall not make an order under this section which he considers affects the carrying out by the Authority of any of its functions unless he has first consulted the Authority.
- (4) In determining what provision to make by an order under this section in respect of the giving of any supply by a water undertaker the Director shall have regard to

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the desirability of the undertaker's recovering the expenses of complying with its obligations under this section and of securing a reasonable return on its capital.