



# Water Industry Act 1991

## 1991 CHAPTER 56

### PART II

#### APPOINTMENT AND REGULATION OF UNDERTAKERS

#### CHAPTER III

#### PROTECTION OF CUSTOMERS ETC..

##### *General provisions*

#### **27 General duty of Director to keep matters under review.**

- (1) It shall be the duty of the Director, so far as it appears to him practicable from time to time to do so, to keep under review the carrying on both in England and Wales and elsewhere of activities connected with the matters in relation to which
  - [<sup>F1</sup>(a) water undertakers or sewerage undertakers carry out functions; and
  - (b) licensed water suppliers carry on activities authorised by their licences.]
- (2) It shall also be the duty of the Director, so far as it appears to him practicable from time to time to do so, to collect information with respect to—
  - (a) the carrying out by companies appointed under Chapter I of this Part of the functions of relevant undertakers; or
  - [<sup>F2</sup>(aa) the carrying on by companies holding licences under Chapter 1A of this Part of the activities authorised by their licences; or]
  - (b) any [<sup>F3</sup>company mentioned in paragraph (a) or (aa) above] ,with a view to his becoming aware of, and ascertaining the circumstances relating to, matters with respect to which any power or duty is conferred or imposed on him by or under any enactment.
- (3) The Secretary of State may give general directions indicating—

*Status: Point in time view as at 14/07/2014.*

*Changes to legislation: Water Industry Act 1991, Cross Heading: General provisions is up to date with all changes known to be in force on or before 23 May 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)*

- (a) considerations to which the Director should have particular regard in determining the order of priority in which matters are to be brought under review in performing his duty under subsection (1) or (2) above; and
  - (b) considerations to which, in cases where it appears to the Director that any of his powers under Parts II to V and VII of this Act are exercisable, he should have particular regard in determining whether to exercise those powers;
- and it shall be the duty of the Director to comply with any such directions.
- (4) It shall be the duty of the Director, where either he considers it expedient or he is requested by the Secretary of State or [<sup>F4</sup>the CMA] to do so, to give information, advice and assistance to the Secretary of State or that Director with respect to any matter relating to—
- (a) the functions of either description of relevant undertaker; or
  - (b) the carrying out of any such functions by a company holding an appointment under Chapter I of this Part [<sup>F5</sup> or
  - (c) the activities authorised by retail licences or combined licences (within the meanings of Chapter 1A of this Part); or
  - (d) the carrying on of any such activities by a company holding any such licence.]

#### Textual Amendments

- F1** S. 27(1)(a)(b) substituted (1.12.2005) for words by [Water Act 2003 \(c. 37\)](#), ss. 101(1), 105(3), **Sch. 8 para. 12(2)**; [S.I. 2005/2714, art. 3\(c\)](#) (with [Sch. para. 8](#))
- F2** S. 27(2)(aa) inserted (1.12.2005) by [Water Act 2003 \(c. 37\)](#), ss. 101(1), 105(3), **Sch. 8 para. 12(3)(a)**; [S.I. 2005/2714, art. 3\(c\)](#) (with [Sch. para. 8](#))
- F3** Words in s. 27(2)(b) substituted (1.12.2005) by [Water Act 2003 \(c. 37\)](#), ss. 101(1), 105(3), **Sch. 8 para. 12(3)(b)**; [S.I. 2005/2714, art. 3\(c\)](#) (with [Sch. para. 8](#))
- F4** Words in s. 27(4) substituted (1.4.2014) by [The Enterprise and Regulatory Reform Act 2013 \(Competition\) \(Consequential, Transitional and Saving Provisions\) Order 2014 \(S.I. 2014/892\)](#), art. 1(1), **Sch. 1 para. 81** (with [art. 3](#))
- F5** S. 27(4)(c)(d) and preceding word inserted (1.12.2005) by [Water Act 2003 \(c. 37\)](#), ss. 101(1), 105(3), **Sch. 8 para. 12(4)**; [S.I. 2005/2714, art. 3\(c\)](#) (with [Sch. para. 8](#))

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

- C1** S. 27 applied (with modifications) (28.6.2013) by [The Water Industry \(Specified Infrastructure Projects\) \(English Undertakers\) Regulations 2013 \(S.I. 2013/1582\)](#), reg. 1(1)(b), **Sch. 1 para. 8** (with [reg. 1\(1\)\(c\)](#))
- C2** S. 27(4): functions exercisable by the Assembly concurrently with the Ministers of the Crown (W.) (1.7.1999) by [S.I. 1999/672, art. 2, Sch. 1](#)

**Status:**

Point in time view as at 14/07/2014.

**Changes to legislation:**

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