



Water Act 2003

2003 CHAPTER 37

PART 2

NEW REGULATORY ARRANGEMENTS, ETC

The Competition Commission

54 Determination references under section 12 of the WIA

(1) Section 12 of the WIA (determinations under conditions of appointment) is amended as follows.

(2) After subsection (3) there is inserted—

“(3A) For the purposes of subsection (3) above, where—

- (a) the question or matter referred to the Commission concerns the review of a price control imposed on the company holding the appointment; and
- (b) the Commission is to decide to what extent it is reasonable to take into account in its determination costs incurred or borne by the company in connection with the reference,

the Commission shall also have regard to the extent to which, in its view, its determination is likely to support the company's (rather than the Authority's) claims in relation to the question or matter referred to it.

(3B) Subsections (4) and (5) of section 14, and sections 16A and 16B, below apply to references to the Competition Commission under this section as they apply to references under section 14.

(3C) A report of the Competition Commission on a reference under this section—

- (a) shall be made to the Authority; and
- (b) shall include definite conclusions on the questions or other matters comprised in the reference, together with such an account of their reasons for those conclusions as, in the opinion of the Competition

Changes to legislation: *Water Act 2003, Section 54 is up to date with all changes known to be in force on or before 30 August 2023. 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*

Commission, is expedient for facilitating a proper understanding of those questions or other matters and of their conclusions, and subsections (5) and (6) of section 15 below apply to such a report as they apply to a report on a reference under section 14.”

(3) Subsections (3)(b)(i), (4) and (5) shall cease to have effect.

Commencement Information

II S. 54 in force at 1.10.2004 by S.I. 2004/2528, art. 2(h) (with Sch. para. 58) (which transitional provisions in Sch. para. 5 are revoked (1.10.2005) by S.I. 2007/1021, art. 3(1)(a)(2))

Changes to legislation:

Water Act 2003, Section 54 is up to date with all changes known to be in force on or before 30 August 2023. 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.

[View outstanding changes](#)

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. 52(9) inserted by [2014 c. 21 Sch. 7 para. 133\(3\)](#)