

SCHEDULES

SCHEDULE 7

FURTHER AMENDMENTS

Water Industry Act 1991 (c. 56)

- 17 (1) Section 17H (standard conditions of water supply licences) is amended as follows.
- (2) For subsections (1) to (3) there is substituted—
- “(1) The Secretary of State may determine the conditions that are to be the standard conditions of water supply licences granted by the Authority.
- (1A) Before determining the standard conditions, the Secretary of State must consult the Welsh Ministers as regards conditions relating to a restricted retail authorisation or a supplementary authorisation.
- (1B) The Secretary of State is to publish the standard conditions in such manner as the Secretary of State considers appropriate.
- (2) The standard conditions may be different depending on the different authorisations or combinations of authorisations to which the conditions are to relate.
- (3) The power to determine standard conditions in relation to water supply licences giving a particular authorisation or a particular combination of authorisations may be exercised only before the grant of the first licence to give that authorisation or that particular combination of authorisations (but this is without prejudice to the power to modify standard conditions in accordance with the provisions of this Chapter).”
- (3) In subsection (4) (general provision about standard conditions), for “of either description” there is substituted “giving any particular authorisation or combination of authorisations”.
- (4) In subsection (6) (power to exclude or modify standard conditions in a particular case)—
- (a) the words “the Secretary of State or” are repealed;
- (b) the words “he or” are repealed.
- (5) In subsection (7) (steps before exercising power in subsection (6))—
- (a) the words “the Secretary of State or” are repealed;
- (b) in paragraph (a), the words “he or” are repealed;
- (c) in paragraph (b), the words “he or” are repealed.
- (6) In subsection (8) (publication of notice of intention to modify standard conditions)—
- (a) in paragraph (a), the words “the Secretary of State or (as the case may be)” are repealed;

Status: This is the original version (as it was originally enacted).

- (b) for paragraph (b)(i) there is substituted—
 - “(i) if the notice relates to a water supply licence giving a restricted retail authorisation or a restricted retail authorisation and a supplementary authorisation, on the Welsh Ministers;”;
 - (c) paragraph (b)(iii) is repealed;
 - (d) in paragraph (b)(iv), the words “if the notice is published by the Authority,” are repealed;
 - (e) after paragraph (b)(iv) there is inserted—
 - “(v) on the Water Industry Commission for Scotland.”
- (7) In subsection (9) (direction not to exclude or modify a standard condition), for “the Assembly” there is substituted “the Welsh Ministers in a case where notice was served on them under subsection (8)(b)(i)”.
- (8) In subsection (10) (power under subsection (6) not to be exercised in certain circumstances)—
- (a) the words “Secretary of State or the” are repealed;
 - (b) the words “he or” are repealed.