



Water Act 2014

2014 CHAPTER 21

PART 1

WATER INDUSTRY

CHAPTER 4

RETAIL EXIT: NON-HOUSEHOLD PREMISES

42 Retail exit: non-household premises

- (1) The Secretary of State may by regulations (“exit regulations”)—
 - (a) make provision for a relevant undertaker whose area is wholly or mainly in England to apply to withdraw from the non-household retail market in relation to that area,
 - (b) make provision about the determination of an application under paragraph (a) (an “exit application”),
 - (c) make provision for and in connection with the transfer of so much of a relevant undertaker's undertaking as relates to the non-household retail market to an eligible licensee or licensees, and
 - (d) make provision about the operation of the water industry in relation to an area in respect of which an exit application has been granted (a “retail exit area”).
- (2) Provision under subsection (1)(a) may require a company that is a water undertaker and a sewerage undertaker to make an exit application that relates both to its functions as a water undertaker and to its functions as a sewerage undertaker, subject to such exceptions as exit regulations may specify.
- (3) Exit regulations may include provision for protecting customers affected by a relevant undertaker's withdrawal from the non-household retail market.
- (4) For the purposes of this Chapter—

Changes to legislation: Water Act 2014, Section 42 is up to date with all changes known to be in force on or before 23 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

- (a) a reference to a water undertaker withdrawing from the non-household retail market in relation to an area is a reference to a water undertaker ceasing, in relation to that area, to exercise such functions relating to the supply of water to non-household premises as are specified in exit regulations, and
 - (b) a reference to a sewerage undertaker withdrawing from the non-household retail market in relation to an area is a reference to a sewerage undertaker ceasing, in relation to that area, to exercise such functions relating to the provision of sewerage services in respect of non-household premises (including trade effluent functions) as are specified in exit regulations;
- and a reference to the non-household retail market is to be construed accordingly.
- (5) Exit regulations may—
- (a) prohibit a water undertaker from exercising, in relation to a retail exit area, such functions relating to the supply of water to non-household premises as are specified in the regulations;
 - (b) prohibit a sewerage undertaker from exercising, in relation to a retail exit area, such functions relating to the provision of sewerage services in respect of non-household premises (including trade effluent functions) as are specified in the regulations.

Commencement Information

II S. 42 in force at 6.4.2015 by S.I. 2015/773, **art. 2(2)(b)(i)** (with art. 5)

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/1288, art. 3(c)(d) by [S.I. 2019/706 art. 2](#)
- specified provision(s) amendment to earlier commencing S.I. 2017/462, arts. 4, 5 by [S.I. 2017/926 art. 2](#)