



Water Act 2014

2014 CHAPTER 21

PART 1

WATER INDUSTRY

CHAPTER 4

RETAIL EXIT: NON-HOUSEHOLD PREMISES

47 Operation of retail market: charges etc

- (1) Exit regulations may make provision for water supply licensees and sewerage licensees, that are providing or proposing to provide services under their water supply or sewerage licences in relation to a retail exit area, to make, and from time to time revise, a scheme containing the terms and conditions which, in the absence of agreed terms and conditions, are to apply to such services.
- (2) Provision under subsection (1) may include—
 - (a) provision for a scheme to make different provision for different purposes, or different areas;
 - (b) provision about the publication of a scheme or revised scheme;
 - (c) provision about sending a copy of a scheme or revised scheme to the WSRA;
 - (d) provision enabling the WSRA to direct that terms or conditions be modified generally or in a particular case;
 - (e) provision requiring a licensee to comply with a direction under paragraph (d), including provision for enforcing such a duty under section 18 of the Water Industry Act 1991.
- (3) Provision under subsection (1) may also include—
 - (a) provision requiring the WSRA to issue a code about providing services to which a scheme under subsection (1) relates;
 - (b) provision for the code to include, in particular, provision about—

Changes to legislation: Water Act 2014, Section 47 is up to date with all changes known to be in force on or before 17 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) View outstanding changes

- (i) the terms and conditions contained in such schemes;
 - (ii) licensees informing owners or occupiers of premises about their schemes before agreeing any terms and conditions for the provision of services;
 - (c) provision for the WSRA, if it considers that a licensee is not acting as required by such provision as is described in paragraph (b), to give the licensee a direction to do, or not to do, a particular thing specified in the direction;
 - (d) provision requiring a licensee to comply with a direction under paragraph (c), including provision for enforcing such a duty under section 18 of the Water Industry Act 1991;
 - (e) provision requiring the WSRA from time to time to review the code and, if appropriate, to issue a revised code.
- (4) Exit regulations may make provision for the WSRA to issue and enforce—
- (a) rules about charges for services that may be imposed by water supply or sewerage licensees in relation to a retail exit area;
 - (b) if exit regulations make provision for licensees to make schemes about such charges, rules about such schemes.
- (5) Provision under subsection (4) may include—
- (a) provision for the rules to make different provision for different cases;
 - (b) provision for the WSRA to direct a licensee to comply with the rules;
 - (c) provision for such directions to be enforceable by the WSRA under section 18;
 - (d) provision for the Secretary of State to issue guidance as to the content of the rules;
 - (e) provision for the Secretary of State to prevent rules being issued.

Commencement Information

II S. 47 in force at 6.4.2015 by [S.I. 2015/773](#), **art. 2(2)(b)(vi)** (with art. 5)

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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](#)