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STATUTORY INSTRUMENTS

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**1989 No. 1162**

**WATER, ENGLAND AND WALES**

**The Water Appointment (Monopolies and  
Mergers Commission) Regulations 1989**

<i>Made</i>	- - - -	<i>7th July 1989</i>
<i>Laid before Parliament</i>		<i>7th July 1989</i>
<i>Coming into force</i>	- -	<i>1st September 1989</i>

Whereas the Secretary of State considers the provisions of these Regulations appropriate for regulating the procedure to be followed with respect to certain references to the Monopolies and Mergers Commission pursuant to the Water Act 1989<sup>(1)</sup>;

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 14(7) of that Act, hereby makes the following Regulations:—

**1.** These Regulations may be cited as the Water Appointment (Monopolies and Mergers Commission) Regulations 1989 and shall come into force on 1st September 1989.

**2.** These Regulations have effect in relation to any reference made to the Monopolies and Mergers Commission for the determination of any question or other matter in pursuance of provisions contained in an instrument of appointment of a water or sewerage undertaker made under Chapter I of Part II of the Water Act 1989.

**3.** The provisions of the Water Act 1989 listed in column 1 of the Schedule to these Regulations shall apply to a reference described in regulation 2 above as they apply to references under section 16 of that Act (modification references to Monopolies Commission), subject to the modifications (if any) set out in column 2 of the Schedule.

7th July 1989

*Francis Maude*  
Parliamentary Under Secretary of State for  
Corporate Affairs,  
Department of Trade and Industry

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE

Regulation 3

COLUMN 1 Provision of Water Act 1989 applied	COLUMN 2 Modification to provision
Section 16(4)	Omit all references to the variation of a reference
Section 16(5)	—
Section 16(7)	Omit paragraph (d)
Section 16(8)	For the words “shall appoint” substitute “may appoint” and after the words “Monopolies Commission; and,” insert “should he do so then,”.
Section 17(1)	<p>(i) For the words “a report” substitute “a report containing a determination of any question or other matter”;</p> <p>(ii) After the word “questions” in each place where it occurs insert “or other matters”;</p> <p>(iii) Omit paragraphs (b) and (c).</p>
Section 17(3)	After the words “Monopolies Commission” insert “containing determinations of any questions or other matters”.
Section 17(4)	After the words “Monopolies Commission” insert “containing a determination of any question or other matter”.
Section 17(5)	—
Section 17(6)	—

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations regulate the procedure of the Monopolies and Mergers Commission on references made to them by the Director General of Water Services under the instrument of appointment of a water undertaker or a sewerage undertaker made pursuant to the Water Act 1989.

The Regulations provide for such matters as the time limit for the Commission to report on references; the service of copies and publication of references; and the power of the Commission to require the attendance of witnesses and the production of documents.