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STATUTORY INSTRUMENTS

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**2021 No. 1208**

**The Water and Sewerage Undertakers  
(Exit from Non-household Retail Market)  
(Consequential Provision) Regulations 2021**

**Amendments to Water Industry Act 1991**

- 2.—(1) The Water Industry Act 1991(1) is amended as follows.
- (2) In section 41 (duty to comply with water main requisition) omit subsection (2A)(2).
- (3) In section 45 (duty to make connections with main) omit subsection (1ZA)(3).
- (4) In section 52 (domestic supply duty), in subsection (4), after paragraph (c) (but before the final “or”) insert—
- “(ca) the premises are in a retail exit area and the pipe by means of which the premises are connected to the water main in question was first connected with that main in pursuance of section 66A(3);”.
- (5) In section 66A (use by water supply licensee of undertaker’s supply system etc) after subsection (3) insert—
- “(3A) A water undertaker is not required by this section to take any steps to enable the use of its supply system at a time when it is required to take those steps by virtue of a notice under section 41 or a connection notice.”.
- (6) In section 98 (duty to comply with sewer requisition) omit subsection (2B)(4).
- (7) In section 117A (use by sewerage licensee of undertaker’s system etc), after subsection (2) insert—
- “(2A) A sewerage undertaker is not required by this section to take any steps to enable the use of its sewerage system at a time when it is required to take those steps by virtue of a notice under section 98(1) or (1A) or a request under section 101B(1).”.
- (8) In section 158 (powers to lay pipes in streets), in subsection (7)(b)(ii), after “101B” insert “or any lateral drain which the undertaker is required to lay by virtue of section 117A(2) for the purpose of enabling the use of its sewerage system to provide sewerage services to premises in a retail exit area”.
- (9) In section 159 (power to lay pipes in other land), in subsection (2)—
- (a) at the end of paragraph (a) omit “or”;
- (b) at the end of paragraph (b) insert “or”;
- (c) after paragraph (b) insert—

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(1) 1991 c. 56, to which relevant amendments have been made by the Water Act 2014 (c. 21) and S.I. 2016/744.  
(2) Subsection (2A) was inserted by Schedule 2 to S.I. 2016/744.  
(3) Subsection (1ZA) was inserted by Schedule 2 to S.I. 2016/744.  
(4) Subsection (2B) was inserted by Schedule 2 to S.I. 2016/744.

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

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- “(c) the undertaker is required to lay the pipe in, on or over that land by virtue of section 66A(3) for the purpose of enabling the use of its supply system to supply premises in a retail exit area.”.