
*Changes to legislation: There are currently no known outstanding effects
for the Enterprise Act 2002, Paragraph 7. (See end of Document for details)*

SCHEDULES

SCHEDULE 9

CERTAIN AMENDMENTS OF SECTORAL ENACTMENTS

PART 1

POWER OF ENFORCEMENT ORDERS TO AMEND LICENCE CONDITIONS ETC.

Water Industry Act 1991 (c. 56)

7 (1) Section 17 of the Water Industry Act 1991 (modification of conditions of appointment by order) shall be amended as follows.

(2) For subsections (1) and (2) there shall be substituted—

“(1) Where the OFT, the Competition Commission or (as the case may be) the Secretary of State (in this section “the relevant authority”) makes a relevant order, the order may, subject to subsection (3), also provide for the modification of the conditions of a company’s appointment under this Chapter to such extent as may appear to the relevant authority to be requisite or expedient for the purpose of giving effect to, or taking account of, any provision made by the order.

(2) In subsection (1) above “relevant order” means—

(a) an order under section 75, 83 or 84 of, or paragraph 5, 10 or 11 of Schedule 7 to, the 2002 Act where—

(i) one or more than one of the enterprises which have, or may have, ceased to be distinct enterprises was carried on by a relevant undertaker; or

(ii) one or more than one of the enterprises which will or may cease to be distinct enterprises is carried on by a relevant undertaker; or

(b) an order under section 160 or 161 of the 2002 Act where the feature, or combination of features, of the market in the United Kingdom for goods or services which prevents, restricts or distorts competition is—

(i) the structure or an aspect of the structure of a market for the supply of goods or services by a relevant undertaker; or

(ii) the conduct of a relevant undertaker or of customers of a relevant undertaker.”

(3) For subsection (4) there shall be substituted—

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“(4) Expressions used in subsection (2) above and in Part 3 or (as the case may be) Part 4 of the 2002 Act have the same meanings in that subsection as in that Part.”

Commencement Information

- II** [Sch. 9 para. 7](#) not in force at Royal Assent see [s. 279](#); [Sch. 9 para. 7](#) in force at 20.6.2003 subject to art. 3(1) of the commencing S.I. by [S.I. 2003/1397](#), [art. 2\(1\)](#), [Sch.](#); [Sch. 9 para. 7](#) in force for water purposes at 29.12.2004 by [S.I. 2004/3233](#), [art. 2](#), [Sch.](#)

Changes to legislation:

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