
Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)). (See end of Document for details)

SCHEDULES

SCHEDULE 14

REGULATORS: USE OF POWERS UNDER THE 1998 ACT

The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21))

27 The Water and Sewerage Services (Northern Ireland) Order 2006 is amended as follows.

Commencement Information

II Sch. 14 para. 27 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

- 28 (1) Article 31 (exceptions to duty to enforce) is amended as follows.
- (2) In paragraph (1), omit sub-paragraph (d) and the “or” preceding it.
- (3) After that paragraph insert—
- “(1A) Before making an enforcement order or confirming a provisional enforcement order under Article 30, the Authority shall consider whether it would be more appropriate to proceed under the Competition Act 1998.
- (1B) The Authority shall not make an enforcement order or confirm a provisional enforcement order under that Article if it considers that it would be more appropriate to proceed under the Competition Act 1998.”
- (4) In paragraph (3)—
- (a) in the words before sub-paragraph (a)—
- (i) for “, (c) or (d)” substitute “ or (c) ”, and
- (ii) after “paragraph (1)” insert “ or decides that it would be more appropriate to proceed under the Competition Act 1998 ”, and
- (b) in sub-paragraph (a), after “so satisfied” insert “ or has so decided ”.

Commencement Information

12 Sch. 14 para. 28 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

- 29 In article 35 (financial penalties), for paragraph (11) substitute—
- “(11) Before imposing a penalty under this Article the Authority shall consider whether it would be more appropriate to proceed under the Competition Act 1998.
- (12) The Authority shall not impose a penalty under this Article if it considers that it would be more appropriate to proceed under the Competition Act 1998.”

Changes to legislation: *There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)). (See end of Document for details)*

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Commencement Information

I3 Sch. 14 para. 29 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

Changes to legislation:

There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)).