

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: Water Industry Act 1991 (c. 56). (See end of Document for details)

SCHEDULES

SCHEDULE 14

REGULATORS: USE OF POWERS UNDER THE 1998 ACT

Water Industry Act 1991 (c. 56)

8 The Water Industry Act 1991 is amended as follows.

Commencement Information

II Sch. 14 para. 8 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

9 (1) Section 19 (exception to duty to enforce) is amended as follows.

(2) For subsection (1A) substitute—

“(1A) Before making an enforcement order or confirming a provisional enforcement order, 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 if it considers that it would be more appropriate to proceed under the Competition Act 1998.”

(3) In subsection (3)—

- (a) in the words before paragraph (a), for “is satisfied as mentioned in subsection (1A) above” substitute “has decided that it would be more appropriate to proceed under the Competition Act 1998”, and
- (b) in paragraph (a), after “satisfied” insert “or has so decided”.

Commencement Information

I2 Sch. 14 para. 9 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

10 In section 22A (penalties), for subsection (13) substitute—

“(13) Before imposing a penalty under this section, the Authority shall consider whether it would be more appropriate to proceed under the Competition Act 1998.

(14) The Authority shall not impose a penalty under this section if it considers that it would be more appropriate to proceed under the Competition Act 1998.”

Commencement Information

I3 Sch. 14 para. 10 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

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