



# Water Industry Act 1991

## 1991 CHAPTER 56

### PART II

#### APPOINTMENT AND REGULATION OF UNDERTAKERS

#### [<sup>F1</sup>CHAPTER 1A

#### [<sup>F1</sup>WATER SUPPLY LICENCES AND SEWERAGE LICENCES]

#### *Granting of licences*

#### [<sup>F1</sup> <sup>F2</sup>17BA] Sewerage licences

- (1) The Authority may grant to a person a licence in respect of the use of the sewerage system of a sewerage undertaker whose area is wholly or mainly in England (a “sewerage licence”).
- (2) A sewerage licence may give the holder of the licence one or more of the following—
  - (a) a retail authorisation;
  - (b) a wholesale authorisation;
  - (c) a disposal authorisation.
- (3) Schedule 2B makes provision as to the authorisations.
- (4) In the case of each of the authorisations, an authorisation to do a thing is an authorisation to do it in accordance with Chapter 2A of Part 4.
- (5) The Authority may exercise the power to grant a sewerage licence only in accordance with a general authorisation given by the Secretary of State.
- (6) References in this Act to a sewerage licensee are references to a person that is the holder for the time being of a sewerage licence.

---

**Changes to legislation:** *Water Industry Act 1991, Section 17BA is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

---

- (7) References in this Chapter to the sewerage system of a sewerage undertaker are references to the system comprising—
- (a) the system of public sewers, the facilities for emptying public sewers and the sewage disposal works and other facilities for dealing effectually with the contents of public sewers that the undertaker is required to provide by section 94, and
  - (b) the lateral drains that the undertaker is required to maintain by section 94.]]

#### **Textual Amendments**

- F1** Pt. 2 Ch. 1A inserted (1.4.2004 for specified provisions and purposes and 1.8.2005 for further specified provisions and purposes and 1.10.2005 for further specified provisions and 1.12.2005 otherwise) by [Water Act 2003 \(c. 37\)](#), ss. 56, 105(3), [Sch. 4 para. 2](#); [S.I. 2004/641](#), [art. 3\(1\)](#), [Sch. 1](#) (with [art. 6](#), [Sch. 3](#)); [S.I. 2005/968](#), [art. 3\(b\)](#) (with savings in [art. 4](#), [Sch. 1](#), 2); [S.I. 2005/2714](#), [arts. 2\(h\)](#), [3\(a\)](#) (with [Sch. para. 5](#))
- F2** Ss. 17BA, 17BB inserted (1.1.2016 for the substitution of s. 17BA(2)-(5), 1.4.2016 for the insertion of s. 17BA(1) for specified purposes and ss. 17BA(7), 17BB(2)-(4)) by [Water Act 2014 \(c. 21\)](#), [ss. 4\(1\)](#), [94\(3\)](#); [S.I. 2015/1938](#), [art. 3\(b\)\(i\)](#); [S.I. 2016/465](#), [art. 2\(b\)\(i\)](#) (with [Sch. 2](#)) (as amended (22.3.2017) by [S.I. 2017/462](#), [art. 16](#))

**Changes to legislation:**

Water Industry Act 1991, Section 17BA is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

**Changes and effects yet to be applied to :**

- s. 17BA(1) words repealed by 2014 c. 21 Sch. 5 para. 7(2)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 3 Ch. 2B inserted by 2014 c. 21 s. 12
- s. 17(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 4(4)(b) (as substituted) by S.I. 2019/1245 reg. 21 (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 17A(c) repealed by 2014 c. 21 Sch. 5 para. 4(2)(c)
- s. 17A(d) repealed by 2014 c. 21 Sch. 5 para. 4(2)(c)
- s. 17A(2)(ba) and word inserted by 2014 c. 21 Sch. 5 para. 4(2)(b)
- s. 17R(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 4(7)(b) (as substituted) by S.I. 2019/1245 reg. 21 (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 17AA(1)(ba)(bb) inserted by 2014 c. 21 Sch. 5 para. 5(2)
- s. 17BA(5A) inserted by 2014 c. 21 Sch. 5 para. 7(3)
- s. 17HA(9)(b)(ia) inserted by 2014 c. 21 Sch. 5 para. 16(2)
- s. 23(2AA) inserted by 2014 c. 21 Sch. 7 para. 35(4)
- s. 23(8)(9) inserted by 2014 c. 21 Sch. 7 para. 35(10)
- s. 39E-39H inserted by 2021 c. 30 s. 78(7)
- s. 87(7C)-(7F) inserted by 2012 c. 7 s. 35(6)
- s. 94A-94E inserted by 2021 c. 30 s. 79
- s. 95ZA(6) inserted by 2014 c. 21 Sch. 5 para. 39(4)
- s. 96ZA(2)-(5) substituted for s. 96ZA(2) by 2014 c. 21 Sch. 5 para. 40
- s. 106B(3A) inserted by 2014 c. 21 Sch. 7 para. 94
- s. 117G(2)(aa) inserted by 2014 c. 21 Sch. 5 para. 41(2)
- s. 117G(4)-(4D) substituted for s. 117(4) by 2014 c. 21 Sch. 5 para. 41(3)
- s. 117G(6)(aa) inserted by 2014 c. 21 Sch. 5 para. 41(4)
- s. 117K(2)(aa) inserted by 2014 c. 21 Sch. 5 para. 42(2)
- s. 117K(5)(5A) substituted for s. 117(5) by 2014 c. 21 Sch. 5 para. 42(3)
- s. 117L(9) inserted by 2014 c. 21 Sch. 5 para. 43(3)
- s. 117N(4)(aa) inserted by 2014 c. 21 Sch. 5 para. 45(2)
- s. 117N(8)(aa) inserted by 2014 c. 21 Sch. 5 para. 45(3)
- s. 117N(11)(aa) inserted by 2014 c. 21 Sch. 5 para. 45(4)
- s. 117O(4)(aa) inserted by 2014 c. 21 Sch. 5 para. 46(2)
- s. 117O(8)(aa) inserted by 2014 c. 21 Sch. 5 para. 46(3)
- s. 117S(7)-(9) inserted by 2014 c. 21 Sch. 5 para. 49
- s. 119(2)(ab) inserted by 2003 c. 37 s. 89(1)(a)
- s. 119(3) inserted by 2003 c. 37 s. 89(1)(b)
- s. 121(1)(ba) inserted by 2003 c. 37 s. 89(2)(a)
- s. 141DC inserted by 2021 c. 30 s. 83

- s. 177K(7)(aa) inserted by 2014 c. 21 Sch. 5 para. 42(4)
- s. 207D and cross-heading inserted by 2014 c. 21 s. 39
- s. 207D(5) word repealed by 2014 c. 21 Sch. 5 para. 52(a)
- s. 207D(5) words inserted by 2014 c. 21 Sch. 5 para. 52(b)
- s. 213(1ZA) inserted by 2014 c. 21 Sch. 7 para. 119(3)
- s. 213(1ZA) repealed by 2014 c. 21 Sch. 5 para. 53