



Water Industry Act 1991

1991 CHAPTER 56

PART III

WATER SUPPLY

CHAPTER I

GENERAL DUTIES OF WATER UNDERTAKERS [F1ETC]

[39A] F1 **Information to be given to customers about overall performance.**

- (1) Each water undertaker shall, in such form and manner and with such frequency as the Director may direct, take steps to inform its customers [F2, and, if the direction so specifies, [F3water supply licensees] using the undertaker's supply system for the purpose of supplying water to the premises of customers or those customers,] of—
 - (a) the standards of overall performance established under section 38(1)(b) above which are applicable to that undertaker; and
 - (b) that undertaker's level of performance as respects each of those standards.

[Each water supply licensee must, in such form and manner and with such frequency F4(1A) as the Authority may direct, take steps to inform the licensee's customers of—

- (a) the standards of overall performance established under section 38ZA(1) which are applicable to that licensee;
 - (b) that licensee's level of performance as regards those standards.
- (1B) The Authority may direct that the requirement in subsection (1A) is not to apply to such water supply licensees as may be specified in the direction.]
- (2) In giving [F5a direction under subsection (1) or (1A)] , the Director shall not specify a frequency of less than once in every period of twelve months.

[The [F7water supply licensees] referred to in subsection (1) above shall, if the Authority F6(2A) so directs, pass on the information about the matters mentioned in that subsection to their customers.

Changes to legislation: Water Industry Act 1991, Section 39A is up to date with all changes known to be in force on or before 27 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

- (2B) In subsection (1) above, the reference to the water undertaker’s supply system shall be construed in accordance with [^{F8}section 17B] above.]
- (3) The duty of a water undertaker [^{F9}or [^{F10}water supply licensee]] to comply with this section shall be enforceable by the Director under section 18 above.]

Textual Amendments

- F1** S. 39A inserted (1.7.1992) by [Competition and Service \(Utilities\) Act 1992 \(c. 43\)](#), **s. 28**; Competition and Service (Utilities) Act. 1992 (Commencement No. 1) Order 1992, art. 3, Sch. Pt.I
- F2** Words in s. 39A(1) inserted (1.12.2005) by [Water Act 2003 \(c. 37\)](#), ss. 101(1), 105(3), **Sch. 8 para. 13(2)**; S.I. 2005/2714, **art. 3(c)** (with Sch. para. 8)
- F3** Words in s. 39A(1) substituted (1.4.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 51(2)**; S.I. 2016/465, art. 2(m), **Sch. 1 para. 1(k)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F4** S. 39A(1A)(1B) inserted (1.4.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 51(3)**; S.I. 2016/465, art. 2(m), **Sch. 1 para. 1(k)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F5** Words in s. 39A(2) substituted (1.4.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 51(4)**; S.I. 2016/465, art. 2(m), **Sch. 1 para. 1(k)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F6** S. 39A(2A)(2B) inserted (1.12.2005) by [Water Act 2003 \(c. 37\)](#), ss. 101(1), 105(3), **Sch. 8 para. 13(3)**; S.I. 2005/2714, **art. 3(c)** (with Sch. para. 8)
- F7** Words in s. 39A(2A) substituted (1.4.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 51(2)**; S.I. 2016/465, art. 2(m), **Sch. 1 para. 1(k)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F8** Words in s. 39A(2B) substituted (1.4.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 51(5)**; S.I. 2016/465, art. 2(m), **Sch. 1 para. 1(k)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)
- F9** Words in s. 39A(3) inserted (1.12.2005) by [Water Act 2003 \(c. 37\)](#), ss. 101(1), 105(3), **Sch. 8 para. 13(4)**; S.I. 2005/2714, **art. 3(c)** (with Sch. para. 8)
- F10** Words in s. 39A(3) substituted (1.4.2016) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 7 para. 51(6)**; S.I. 2016/465, art. 2(m), **Sch. 1 para. 1(k)** (with Sch. 2) (as amended (22.3.2017) by S.I. 2017/462, art. 16)

Changes to legislation:

Water Industry Act 1991, Section 39A is up to date with all changes known to be in force on or before 27 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.

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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](#)