STATUTORY INSTRUMENTS

2017 No. 449

WATER INDUSTRY, ENGLAND AND WALES

The Water Supply Licence and Sewerage Licence (Modification of Standard Conditions) Order 2017

Made - - - - 17th March 2017

Coming into force in accordance with article 1(1)

The Secretary of State makes this Order in exercise of the powers conferred by section 17J(6) of the Water Industry Act 1991(**1**), having consulted the Welsh Ministers(**2**) in relation to the standard conditions of water supply licences in accordance with section 17J(10) of that Act.

A draft of this Order has been approved by a resolution of each House of Parliament pursuant to section 17J(11) of that Act.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Water Supply Licence and Sewerage Licence (Modification of Standard Conditions) Order 2017 and comes into force on the day after the day on which it is made.

(2) Any reference in this Order to a section is a reference to a section of the Water Industry Act 1991.

Specified percentages

2.—(1) The percentage specified for the purposes of section 17J(6)(b)(i) is 20 per cent.

(2) The percentage specified for the purposes of section 17J(6)(b)(ii) is 20 per cent.

Meaning of "weighted according to their market share"

3.—(1) For the purposes of section 17J(7), "weighted according to their market share" in relation to each relevant licence holder(**3**) who has given notice of objection means weighted by attributing to that relevant licence holder a proportion equal to—

(**1**) 1991 c. 56; section 17J was inserted by paragraph 2 of Schedule 4 to the Water Act 2003 (c. 37) and amended by paragraph 20 of Schedule 7 to the Water Act 2014 (c. 21).

(**2**) Functions exercisable by the Assembly were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32), therefore the requirement in section 17J(10) to consult the National Assembly for Wales now applies to the Welsh Ministers.

(**3**) The expression "relevant licence holder" is defined for the purposes of section 17J by section 17J(13).