

OPERATIONAL CODE

Setting out operational co-ordination arrangements between Scottish Water and Licensed Providers in connection with the provision of Water and Sewerage Services

XX XXXX31 March 2009

This version of the Operational Code dated XX31 XXXXMarch 2009 is the latest in a series of updates since the original version dated ~~replaces the version of 1 December 2008 which in turn replaced the version of 1 June 2008 which in turn replaced the version of~~ 26 September 2007 that was designated by the Commission as the Operational Code for the purposes of the Water Services (Codes and Services) Directions 2007.

Details of changes incorporated in this version are available on the website of the Central Market Agency, www.cmascotland.co.uk

Change History

<u>Version Number</u>	<u>Date of Issue</u>	<u>Reason For Change</u>	<u>Change Control Reference</u>
<u>1</u>	<u>26/09/2007</u>	<u>Designated by the Commission as the Operational Code for the purposes of the Water Services (Codes and Services) Directions 2007</u>	
<u>2</u>	<u>01/06/2008</u>	<u>Process 27 – Non-Return to Sewer Allowance</u>	<u>OCCP004</u>
		<u>Modification to Form H</u>	<u>OCCP005</u>
		<u>New Process for Verification of Supply Point</u>	<u>OCCP006</u>
		<u>Modification to Form J (previously Form I)</u>	<u>OCCP012</u>
		<u>Amend Process 8 Performance Standard</u>	<u>OCCP016</u>
<u>3</u>	<u>01/12/2008</u>	<u>First Time Provision of Services</u>	<u>OCCP014</u>
<u>4</u>	<u>31/03/2009</u>	<u>Changes to Operational Code</u>	<u>OCCP019-CC</u>
<u>5</u>	<u>XX/XX/2009</u>	<u>Operational Code Housekeeping 2009</u>	<u>OCCPXXX</u>

APPENDIX

Part 1

Definitions and Acronyms

Any words or expressions used in the 2002 Act or the 2005 Act shall, unless the contrary intention appears, have the same meaning when used in this Operational Code.

TERM	DEFINITION
2002 Act	Means the Water Industry(Scotland) Act 2002;
2005 Act	Means the Water Services etc. (Scotland) Act 2005;
Accession Agreement	Means an agreement in the form set out in the Appendix (Part 4) whereby a potential Code Party accedes to the Framework Agreement;
Business Day	Means the period of 08:00 to 18:00 hours on any day other than a Saturday or Sunday or a bank holiday in Scotland under the Banking and Financial Dealings Act 1971;
Central Market Agency or CMA	Means any body established by or under any directions made by the Commission relating inter alia to the central market agency to exercise certain central market functions in relation to the participation of Licensed Providers in the provision of Water Services and Sewerage Services, the first such body being Central Market Agency Limited, a company limited by guarantee with registered number SC328635 and having its registered office at EnterpriseOchil House , Springkerse Business Park, Stirling, FK7 7UFXE;
Code Parties	Means Scottish Water and the Licensed Providers;
Commission	Means the body established under section 1 of the 2002 Act;
Developer	Means a property developer who requests a new connection to the Public Water Supply System or the Public Sewerage System in respect of a Supply Point (often in the planning stage);
DIA	Has the meaning given in Process 3 of this Code;
Dispute	Has the meaning given in Part 3 of the Appendix to this Code;
Disputing Party	Has the meaning given in Part 3 of the Appendix to this Code;
Effective Date	Means the Operational Code Effective Date defined in the Water Services (Codes and Services) Directions 2007 (or any other direction which amends, replaces or supplements, or is made in respect of substantially the same subject matter as that direction);
Emergency	Has the meaning given in Process 21;
Emergency Plans	Means plans made, reviewed and implemented by Scottish Water under the Directions, to ensure the provision of essential Water and/ or Sewerage Services in the event of an Emergency;
Expert	Has the meaning given in Part 3 of the Appendix to this Code;
Expert Notification	Has the meaning given in Part 3 of the Appendix to this Code;
Foul Sewerage Services	Means making arrangements for:- (i) the provision of sewerage to, and the disposal of sewage from, any Eligible Premises, through the Public Sewerage System where the sewage and/or the related water supply is Metered; or (ii) the provision of sewerage to, and the disposal of sewage from, any Eligible Premises, through the Public Sewerage System, where both the sewage and the related water supply are Unmeasurable; or (iii) the provision of sewerage to, and the disposal of sewage from, any Eligible Premises through the Public Sewerage System where the sewage and/or the related water supply is Measurable but is not Metered;