## 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 |
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| 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;  |
| Accredited Entity | Means an entity which is independently evaluated and accredited under the established accreditation scheme as competent to carry out Metering Activity and/or Connections Activity (or certain categories of Metering Activity or Connections Activity); |
| 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 Enterprise House, Springkerse Business Park, Stirling, FK7 7UF; |
| Code Parties | Means Scottish Water and the Licensed Providers; |
| Commission | Means the body established under section 1 of the 2002 Act; |
| Connections Activity | Means activities undertaken by an Accredited Entity relating to water connections as set out in the New Connections section of this Code, and Permanent Disconnections as set out in the Disconnections Document, including all associated ancillary activities for which accreditation must be obtained; |
| Contribution Offer | Means the amount offered by Scottish Water to the Licensed Provider as a contribution towards the costs associated with works at the relevant Supply Point; |
| Deregistration | The removal from the Supply Point Register of a property which is not an Eligible Premises or which is not a unique registration of an Eligible Premises; |
| 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); |
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| Discharge Point | Has the meaning set out in the Market 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; |
| DOMS Impact Assessment Form | Means the form that is required to be completed by any party planning or undertaking activities that may impact on Scottish Water’s Network in accordance with Scottish Water’s Distribution, Operation and Maintenance Strategy (DOMS);  |
| Drinking Water Quality Regulator for Scotland | Means the position established under Part 2 of the 2002 Act, any person authorised by the holder of that position, and any successor to or assignee of such position; |
| 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); |
| Eligible Premises | Has the meaning given to it by section 27 (1) of the 2005 Act; |
| 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; |
| Framework Agreement | Means the agreement entered into among the Original Licensed Providers and Scottish Water on the Effective Date, in the form set out in the Appendix (Part 4);  |
| Gap Site | Has the meaning set out in the Market Code; |
| Law | Means any Act of Parliament or of the Scottish Parliament, any statutory instrument or other subordinate legislation of either parliament, any exercise of the Royal Prerogative, any enforceable community right within the meaning of section 2 of the European Communities Act 1972, any applicable guidance direction or determination with which a Code Party is bound to comply and any applicable judgement of a relevant court of law which creates binding precedent in Scotland and any Water Byelaw; |
| Licence | Means a Water Services Licence or a Sewerage Services Licence; |
| Licensed Provider | Means a Water Services provider or a Sewerage Services provider as those terms are defined in sections 6(2) and 6(4) of the 2005 Act respectively; |
| Licensed Provider ID | Means the unique identification number allocated or to be allocated to each Licensed Provider;  |
| Local Authority Environmental Health Department | Means the body responsible for carrying out measures for protecting public health, including administering and enforcing legislation related to environmental health and providing support to minimize health and safety hazards, within that Local Authority's designated area of operation; |
| Market Code | Means the code designated as such by or under 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); |
| Measurable | Has the meaning set out in the Market Code; |
| Meter Menu | Means Scottish Water’s list of types of revenue meter that may be installed at a Supply Point, as published by Scottish Water and amended from time to time; |
| Metering Activity | Means activities undertaken by an Accredited Entity relating to Scottish Water revenue meters as set out in the Metering section of this Code and Temporary Disconnection and Reconnection following Temporary Disconnection, as set out in the Disconnections Document, including all associated ancillary activities for which accreditation must be obtained; |
| Meter Reference Number | Means the unique identification number allocated or to be allocated to each meter; |
| Metered | Means any Water Services or Sewerage Services for which Usage is calculated from a metered source or a series of related metered sources; |
| Network | Means the physical assets of the Public Water Supply System and the Public Sewerage System, taken together; |
| Non-Household Customer | Means the occupier of any Eligible Premises; |
| Non-Household Customer's Premises. | Means Eligible Premises; |
| Non-Household Customer's Supply Point ID | Means the unique identification number allocated or to be allocated to each Supply Point;  |
| Operational Code Objectives | Has the meaning set out in the Market Code; |
| Operational Code Principles | Has the meaning set out in the Market Code; |
| Original Licensed Provider | Means a party to the Framework Agreement as listed in the Schedule to the Framework Agreement; |
| PDE | Pre-Development Enquiry described in Process 14 of this code |
| Permanent Disconnection | Has the meaning set out in the Market Code; |
| Private Effluent Meter | Has the meaning set out in the Market Code; |
| Private Meter | Has the meaning set out in the Market Code; |
| Private Water Meter | Has the meaning set out in the Market Code; |
| Public Sewerage System | Means, any and all of the sewers (and junctions therewith), drains, SUD systems, sewage treatment works and other similar infrastructure which are (either or both): (a) vested in Scottish Water; or (b) used by Scottish Water (or a person acting on its behalf or under its authority) in connection with the exercise of Scottish Water's core functions as respects the provision of sewerage or the disposal of sewage; |
| Public Water Supply System | Has the meaning set out in the Market Code; |
| Reassessed Charges | Has the meaning set out in the Market Code; |
| Reassessment Request | Means the application made by a Licensed Provider to Scottish Water for the reassessment of a Supply Point; |
| Related Dispute | Has the meaning given in Part 3 of the Appendix to this Code; |
| Related Procedure | Has the meaning given in Part 3 of the Appendix to this Code; |
| Service Elements | Has the meaning set out in the Market Code; |
| Scottish Water | Means the body established under Part 3 of the 2002 Act and any statutory successor to or assignee of such body; |
| Scottish Waterborne Hazard Plan | Means the multi-agency plan agreed between Scottish Water, the NHS Boards and the Local Authority Environmental Health Department for determining if there is a potential risk to public health and the risk control measures to be applied; |
| Scottish Waterborne Hazard Plan Incident Management Team | Means the body formed under the Scottish Waterborne Hazard Plan when there is an actual or potential Water Quality Incident; |
| Sensitive Customers | Has the meaning given under the section headed "Non-Household Customer Classification" in this Code; |
| Sewerage Services | Means all Foul Sewerage Services, Surface Water Drainage Services and Trade Effluent Services which are provided to any Eligible Premises; |
| Sewerage Services Licence | Means the licence granted under section 6(3) of the 2005 Act; |
| SPID | Has the meaning set out in the Market Code; |
| Standards | Means those standards contained in: (i) "Water for Scotland" and "Sewers for Scotland", the Water Research Council's policy, design and construction guide for developers in Scotland, as amended or replaced from time to time; (ii) the Terms and Conditions; (iii) Scottish Water's Trade Effluent control policy as amended from time to time and (iv) the Water Byelaws; |
| Supply Point | means subject always to section 5.15 of the Market Code, in relation to any Eligible Premises, the point at which Water Services or Sewerage Services are provided and (to avoid doubt):-(a) any Eligible Premises that receives both Water Services and Sewerage Services shall have two Supply Points; and(b) any Eligible Premises that receives either Water Services or Sewerage Services only shall have one Supply Point; |
| Supply Point Register | Has the meaning set out in the Market Code; |
| Surface Water Drainage Services | means making arrangements for or in relation to drainage from or in relation to any Eligible Premises to the Public Sewerage System (comprising property and roads drainage as appropriate); |
| Technical Approval | Means the approval issued by Scottish Water of the technical design submitted by the Licensed Provider when applying for a new water and/or sewerage connection to the Network. Such approval is provided in conjunction with Scottish Water’s offer of connection and may contain stipulations or requirements specified by Scottish Water;  |
| Temporary Disconnection | Has the meaning set out in the Market Code; |
| Terms and Conditions | Means the schedule of terms and conditions for the supply of water by meter or otherwise, produced by Scottish Water under section 55 of the Water (Scotland) Act 1980; |
| Track Inspection | Means an inspection of all pipework associated with a water connection including fittings, depth, bedding material and excavation of the public main to assess compliance with technical specifications and Water Byelaws;  |
| Trade Effluent  | Has the meaning given in section 59(1) of the Sewerage (Scotland) Act 1968; |
| Trade Effluent Consent | Means a consent given by Scottish Water under section 26 of the Sewerage (Scotland) Act 1968; |
| Trade Effluent Services  | Means making arrangements for or in relation to the provision of sewerage, or disposal of sewage, in respect of trade effluent discharged from any Eligible Premises; where the sewage and/or the related water supply is either Metered, Unmeasurable or Measurable but is not Metered; |
| Unmeasurable | Means any Water Services or Sewerage Services for which Scottish Water notifies the CMA that the supply is unmeasurable including any supply for which Scottish Water determines that meter installation is infeasible in accordance with Process 8 of this Operational Code; |
| Usage | Has the meaning set out in the Market Code; |
| Water Byelaws | Means the Byelaws created by Scottish Water under section .70 and confirmed by the Scottish Ministers under section 72 of the Water (Scotland) Act 1980, as amended from time to time; |
| Water Services | Means making arrangements for or in relation to(i) the supply of water through the Public Water Supply System where the supply is Metered; or(ii) the supply of water through the Public Water Supply System to a Supply Point where the supply is Unmeasurable; or(iii) the supply of water through the Public Water Supply System where the supply is Measurable but is not Metered; |
| Water Services Licence | Means a licence granted under section 6(1) of the 2005 Act;  |
| Water Quality Incident | Means an event declared by Scottish Water where the water supply in an area is actually or potentially considered not fit for consumption; |
| Wholesale Charges Scheme | Means Scottish Water's charges scheme setting out its charges for Water Services and Sewerage Services approved by the Commission under Section 29A of the 2002 Act from time to time; and |
| Wholesale Services Agreement | Means any agreement entered into pursuant to section 16 of the 2005 Act. |