



APPLICATION FORM FOR CONSENT TO THE TRANSFER OF AN EXISTING WATER SERVICES LICENCE AND/OR A SEWERAGE SERVICES LICENCE

August 2024

Applicants are required to complete this Application Form (**the form**) when making an application for the consent of the Water Industry Commission for Scotland Commission (**the Commission**) to a transfer of a water services or a sewerage services licence. Please note that "applicant" refers to the proposed transferee of a licence.

- The form should be read in conjunction with the Licence Transfer Application Guidance (**the Guidance**), issued by the Commission.
- The completed form should be returned, together with the relevant enclosures, to:
CompetitionTeam@watercommission.co.uk

Applicants should be aware that, following submission of a completed form, the Commission may request further information as may be reasonably required to carry out a fair and thorough evaluation of the application.

In The Water Services and Sewerage Service Licences (Scotland) Order, SSI 2006/464 (**the Order**), Scottish Ministers set out their requirements for the information to be provided in the application form for a licence (or licences). The Order was made pursuant to paragraph 1 of Schedule 2 of the Water Service etc. (Scotland) Act 2005 (**the Act**). This provision also applies to applications for consent to the transfer of a licence by virtue of paragraph 4(5) of Schedule 2 of the Act. This form reflects those requirements. Section 4 of the Guidance outlines, on a question-by-question basis, the information that the Commission expects to be provided in response to the questions in this form.

Please note that any applicant who knowingly or recklessly makes a statement, in connection with an application for a licence, that is false or misleading in a material particular is guilty of an offence in terms of paragraph 4(6) of Schedule 2 of the Act.

Applicants will need to submit attachments for some of the questions on this form, for example questions 9, 11 and 12, but may also attach additional pages should more space for response to any of the questions be needed. Any such additional pages should be numbered, and the form should be marked indicating that they have been attached.

In completing an application for consent to the transfer of a licence (or licences), applicants should highlight (explaining their reasons) any information which they would not wish to be published or disclosed by us in due course. In particular, applicants should set out clearly whether, and for what length of time, they consider the information submitted to be subject to any exemptions under the Freedom of Information (Scotland) Act 2002. We may have regard to any such submissions when considering future publication or disclosure.

Section A – details of licence

1. Please provide details of the licence(s) the applicant wishes to be transferred

Section B – applicant details

2. Please provide the full name and postal address of the applicant, including where appropriate, the registered office, company number and legal status of the applicant.
3. Where the applicant is not an individual, please give the full names and contact details (address, telephone number and email address (where available)) of each person concerned in the direction or management of the applicant's affairs.
4. Please provide the name(s) and contact details (including, if applicable, the details referred to in questions 2 and 3 above) for any ultimate controller of the applicant, together with details of the nature of the control exercised.
5. Please confirm that no person referred to in answering questions 2, 3 or 4 is subject to any restriction, imposed by a competent court or other authority, as regards his, her or its involvement in the direction or management of any business or undertaking (including the applicant).
6. Please provide the name, address, telephone number and e-mail address (where available) of the person to whom correspondence or queries concerning this application should be directed.

Section C - ongoing litigation/criminal convictions/civil penalties

7. Please provide details of any current litigation involving the applicant or any of the persons referred to in questions 3 or 4.
8. Please provide details of any cases during the past 3 years that involve the applicant or any of the persons referred to in question 3 or 4, where they have plead or been found guilty of a criminal offence and/or been subjected to a civil penalty. This should exclude minor convictions or penalties (please refer to section 4 of the guidance notes in relation to this question).

Section D - previous experience/licences

9. Please provide details of:

- (i) any relevant experience that the applicant or any of the persons referred to in questions 3 or 4 have of the water or sewerage industries and/or other regulated utility industries; and
- (ii) any insolvency event, including any period of receivership or administration, which any of those persons have experienced

Section E - purpose of application/financial information

10. Please provide details of the purpose of the application (indicating the type of customer the applicant anticipates servicing).

11. Please provide the financial details outlined in the Guidance.

Section F - compliance with regulatory requirements

12. Please provide details of how the applicant intends to comply with the standard licence conditions and any other regulatory requirements placed on the holder of a licence of the type intended to be transferred.

13. If the applicant considers that any of the standard licence conditions or any other regulatory requirements should not apply in respect of their licence application, please indicate which conditions or requirements they are and details of the reasons for the proposed disapplication of those conditions or requirements.

Section G - additional matters

14. Please provide details of any facts or circumstances that might adversely affect the applicant's ability to exercise the functions authorised under the licence(s) the applicant is applying to be transferred to it.

15. Please provide any additional information that the applicant feels is necessary to support this application.

Declaration

I confirm that, having made due enquiry of the applicant (if someone other than me) and each of the persons (if any) listed in the responses to questions 3 and 4, the information supplied is complete and correct to the best of my knowledge and belief.

I confirm that I, and (if someone other than me) the applicant, will provide such further information as the Commission requests in connection with its assessment of this application and will inform the Commission if there is any material change to the circumstances of the applicant and/or the information contained in this application.

Signed
Print Name
Print job title (if applicable)
For and behalf of (if applicable)
Date



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