



Water Resources Act 1963

1963 CHAPTER 38

PART X

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

101— ^{F1}
104.

Textual Amendments

F1 Ss. 3(1)–(4)(6)(7), 4–15, 16(1), 18, 21(1)(2), 57–59, 61, 62, 80, 83–87, 89, 90, 92, 93(1)(2)(4), 94–104, 110, 119, 121, 124, 125, 127, 129, 136(1)–(3)(5)(6), Schs. 1–6, repealed by [Water Act 1973](#) (c. 37), **Sch. 9**

105 ^{F2}

Textual Amendments

F2 Ss. 2, 17, 19, 22–32, 36–55, 60, 63, 64, 71(3), 78, 79(3)–(6), 81, 82, 88, 91, 105, 109, 114–118, 120, 123, 128(1)(2), 131, 132, 133(2), 134(1)(2), 134(6)(c), 135(2)(3), 135(5)–(8), Schs. 7, 10 repealed by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

106 ^{F3}

Textual Amendments

F3 S. 106 repealed by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (subject to savings in s. 2, Sch. 2 paras. 2(4), 10, 14(1), 15)

*Changes to legislation: There are currently no known outstanding effects
for the Water Resources Act 1963, Part X. (See end of Document for details)*

107, F4
108.

Textual Amendments
F4 Ss. 1, 3(5), 16(2)(3), 20, 21(3)(4), 33–35, 56, 65–70, 71(1)(2)(4)(6), 77, 107, 108, 111–113, 126(1)(2), 128(3), 130, 134(5), 135(4), Schs. 8, 9 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

109 F5

Textual Amendments
F5 Ss. 2, 17, 19, 22–32, 36–55, 60, 63, 64, 71(3), 78, 79(3)–(6), 81, 82, 88, 91, 105, 109, 114–118, 120, 123, 128(1)(2), 131, 132, 133(2), 134(1)(2), 134(6)(c), 135(2)(3), 135(5)–(8), Schs. 7, 10 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

110 F6

Textual Amendments
F6 Ss. 3(1)–(4)(6)(7), 4–15, 16(1), 18, 21(1)(2), 57–59, 61, 62, 80, 83–87, 89, 90, 92, 93(1)(2)(4), 94–104, 110, 119, 121, 124, 125, 127, 129, 136(1)–(3)(5)(6), Schs. 1–6, repealed by Water Act 1973 (c. 37), **Sch. 9**

111— F7
113.

Textual Amendments
F7 Ss. 1, 3(5), 16(2)(3), 20, 21(3)(4), 33–35, 56, 65–70, 71(1)(2)(4)(6), 77, 107, 108, 111–113, 126(1)(2), 128(3), 130, 134(5), 135(4), Schs. 8, 9 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

114— F8
118.

Textual Amendments
F8 Ss. 2, 17, 19, 22–32, 36–55, 60, 63, 64, 71(3), 78, 79(3)–(6), 81, 82, 88, 91, 105, 109, 114–118, 120, 123, 128(1)(2), 131, 132, 133(2), 134(1)(2), 134(6)(c), 135(2)(3), 135(5)–(8), Schs. 7, 10 repealed by

Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1963, Part X. (See end of Document for details)

Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

119 **F9**

Textual Amendments

F9 Ss. 3(1)–(4)(6)(7), 4–15, 16(1), 18, 21(1)(2), 57–59, 61, 62, 80, 83–87, 89, 90, 92, 93(1)(2)(4), 94–104, 110, 119, 121, 124, 125, 127, 129, 136(1)–(3)(5)(6), Schs. 1–6, repealed by [Water Act 1973](#) (c. 37), **Sch. 9**

120 **F10**

Textual Amendments

F10 Ss. 2, 17, 19, 22–32, 36–55, 60, 63, 64, 71(3), 78, 79(3)–(6), 81, 82, 88, 91, 105, 109, 114–118, 120, 123, 128(1)(2), 131, 132, 133(2), 134(1)(2), 134(6)(c), 135(2)(3), 135(5)–(8), Schs. 7, 10 repealed by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

121 **F11**

Textual Amendments

F11 Ss. 3(1)–(4)(6)(7), 4–15, 16(1), 18, 21(1)(2), 57–59, 61, 62, 80, 83–87, 89, 90, 92, 93(1)(2)(4), 94–104, 110, 119, 121, 124, 125, 127, 129, 136(1)–(3)(5)(6), Schs. 1–6, repealed by [Water Act 1973](#) (c. 37), **Sch. 9**

122 **F12**

Textual Amendments

F12 S. 122 repealed by [General Rate Act 1967](#) (c. 9), s. 117, **Sch. 14**

123 **F13**

Textual Amendments

F13 Ss. 2, 17, 19, 22–32, 36–55, 60, 63, 64, 71(3), 78, 79(3)–(6), 81, 82, 88, 91, 105, 109, 114–118, 120, 123, 128(1)(2), 131, 132, 133(2), 134(1)(2), 134(6)(c), 135(2)(3), 135(5)–(8), Schs. 7, 10 repealed by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

*Changes to legislation: There are currently no known outstanding effects
for the Water Resources Act 1963, Part X. (See end of Document for details)*

124, **F14**
125.

Textual Amendments
F14 Ss. 3(1)–(4)(6)(7), 4–15, 16(1), 18, 21(1)(2), 57–59, 61, 62, 80, 83–87, 89, 90, 92, 93(1)(2)(4), 94–104, 110, 119, 121, 124, 125, 127, 129, 136(1)–(3)(5)(6), Schs. 1–6, repealed by [Water Act 1973](#) (c. 37), **Sch. 9**

126 (1) **F15**

[^{F16}(3) Without prejudice to the last preceding subsection, the provisions of this Act relating to the new functions of [^{F17}water authorities] shall not apply to so much of any inland waters as—

- (a) is part of the River Tweed, or
- (b) is part of the River Esk or of the river Sark or of any tributary stream of the River Esk or River Sark at a point where either of the banks of either of those rivers or of any such tributary stream is in Scotland.

(4) In this section “the River Tweed” means the “the river” as defined by the Tweed Fisheries Amendment Act 1859 and any byelaw amending that definition.]

Textual Amendments
F15 Ss. 1, 3(5), 16(2)(3), 20, 21(3)(4), 33–35, 56, 65–70, 71(1)(2)(4)(6), 77, 107, 108, 111–113, 126(1)(2), 128(3), 130, 134(5), 135(4), Schs. 8, 9 repealed by [Water Act 1989](#) (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)
F16 S. 126(3)(4) repealed (E.W.) by [Water Consolidation \(Consequential Provisions\) Act 1991](#) (c.60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)
F17 Words substituted (1.4.1974) for words “river authorities” by virtue of [Water Act 1973](#) (c. 37), s. 9(a)

127 **F18**

Textual Amendments
F18 Ss. 3(1)–(4)(6)(7), 4–15, 16(1), 18, 21(1)(2), 57–59, 61, 62, 80, 83–87, 89, 90, 92, 93(1)(2)(4), 94–104, 110, 119, 121, 124, 125, 127, 129, 136(1)–(3)(5)(6), Schs. 1–6, repealed by [Water Act 1973](#) (c. 37), **Sch. 9**

128 (1) **F19**
(3) **F20**

Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1963, Part X. (See end of Document for details)

Textual Amendments

- F19** Ss. 2, 17, 19, 22–32, 36–55, 60, 63, 64, 71(3), 78, 79(3)–(6), 81, 82, 88, 91, 105, 109, 114–118, 120, 123, 128(1)(2), 131, 132, 133(2), 134(1)(2), 134(6)(c), 135(2)(3), 135(5)–(8), Schs. 7, 10 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)
- F20** Ss. 1, 3(5), 16(2)(3), 20, 21(3)(4), 33–35, 56, 65–70, 71(1)(2)(4)(6), 77, 107, 108, 111–113, 126(1)(2), 128(3), 130, 134(5), 135(4), Schs. 8, 9 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

129 **F21**

Textual Amendments

- F21** Ss. 3(1)–(4)(6)(7), 4–15, 16(1), 18, 21(1)(2), 57–59, 61, 62, 80, 83–87, 89, 90, 92, 93(1)(2)(4), 94–104, 110, 119, 121, 124, 125, 127, 129, 136(1)–(3)(5)(6), Schs. 1–6, repealed by Water Act 1973 (c. 37), **Sch. 9**

130 **F22**

Textual Amendments

- F22** Ss. 1, 3(5), 16(2)(3), 20, 21(3)(4), 33–35, 56, 65–70, 71(1)(2)(4)(6), 77, 107, 108, 111–113, 126(1)(2), 128(3), 130, 134(5), 135(4), Schs. 8, 9 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

131, **F23**
132.

Textual Amendments

- F23** Ss. 2, 17, 19, 22–32, 36–55, 60, 63, 64, 71(3), 78, 79(3)–(6), 81, 82, 88, 91, 105, 109, 114–118, 120, 123, 128(1)(2), 131, 132, 133(2), 134(1)(2), 134(6)(c), 135(2)(3), 135(5)–(8), Schs. 7, 10 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

133 Repeal, amendment and adaptation of local enactments.

- (1) If it appears to the Minister that any local enactment passed or made before the second appointed day is inconsistent with any of the provisions of this Act, or with anything done in the performance of any functions under this Act, or requires to be amended or adapted, having regard to any of the provisions of this Act or to anything done in the performance of any of those functions, he may by order repeal, amend or adapt that enactment to such extent, or in such manner, as he considers appropriate.

*Changes to legislation: There are currently no known outstanding effects
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- (2) F24
- (3) Any order under this section may include such transitional, incidental, supplementary and consequential provisions as the Minister or Ministers may consider necessary or expedient.
- (4) The provisions of this section shall have effect without prejudice to the exercise of any other power to repeal, amend or adapt local enactments which is conferred by any other enactment, including any enactment contained in this Act.

Textual Amendments

F24 Ss. 2, 17, 19, 22–32, 36–55, 60, 63, 64, 71(3), 78, 79(3)–(6), 81, 82, 88, 91, 105, 109, 114–118, 120, 123, 128(1)(2), 131, 132, 133(2), 134(1)(2), 134(6)(c), 135(2)(3), 135(5)–(8), Schs. 7, 10 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

Modifications etc. (not altering text)

C1 Power conferred by s. 133(1) saved by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. **2(4)(c)**

134 Regulations and orders.

- (1) F25
- (3) Any power conferred by this Act to make an order shall include power to vary or revoke the order by a subsequent order.
- (4) Any power to make orders under this Act shall be exercisable by statutory instrument:
..... F26
- (5) F27
- (6) Any statutory instrument containing—
- (a) F28
- (c) F25
- (d) an order under the last preceding section,
shall be subject to annulment in pursuance of a resolution of either House of Parliament:
..... F29

Textual Amendments

F25 Ss. 2, 17, 19, 22–32, 36–55, 60, 63, 64, 71(3), 78, 79(3)–(6), 81, 82, 88, 91, 105, 109, 114–118, 120, 123, 128(1)(2), 131, 132, 133(2), 134(1)(2), 134(6)(c), 135(2)(3), 135(5)–(8), Schs. 7, 10 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

F26 Proviso repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

F27 Ss. 1, 3(5), 16(2)(3), 20, 21(3)(4), 33–35, 56, 65–70, 71(1)(2)(4)(6), 77, 107, 108, 111–113, 126(1)(2), 128(3), 130, 134(5), 135(4), Schs. 8, 9 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27**

Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1963, Part X. (See end of Document for details)

Pt. I (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)
F28 S. 134(6)(a) and (b) repealed by Statute Law (Repeals) Act 1986 (c. 12), **Sch. 1 Pt. XIII**
F29 Proviso repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

135 Interpretation.

(1) In this Act, except in so far as the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

.....^{F30}
“local enactment” means a local or private Act, a public general Act relating to London, an order or scheme made under an Act or confirmed by Parliament or brought into operation in accordance with special parliamentary procedure, or an enactment in a public general Act amending a local or private Act or any such order or scheme;

.....^{F30}
“performance”, in relation to functions, includes the exercise of powers as well as the performance of duties, and “perform” shall be construed accordingly;

.....^{F30}
“repeal”, in relation to a local enactment not contained in an Act, means revoke;

- (2)^{F31}
(4)^{F32}
(5)^{F31}

(9) Except in so far as the context otherwise requires, any reference in this Act to an enactment shall be construed as a reference to that enactment as amended or extended by or under any other enactment, including this Act.

Textual Amendments

- F30** Definitions repealed by Water Consolidation (Consequential Provisions) Act 1991 (c.60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)
F31 Ss. 2, 17, 19, 22–32, 36–55, 60, 63, 64, 71(3), 78, 79(3)–(6), 81, 82, 88, 91, 105, 109, 114–118, 120, 123, 128(1)(2), 131, 132, 133(2), 134(1)(2), 134(6)(c), 135(2)(3), 135(5)–(8), Schs. 7, 10 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)
F32 Ss. 1, 3(5), 16(2)(3), 20, 21(3)(4), 33–35, 56, 65–70, 71(1)(2)(4)(6), 77, 107, 108, 111–113, 126(1)(2), 128(3), 130, 134(5), 135(4), Schs. 8, 9 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

136 Amendments and repeals.

- (1)^{F33}
(4) The repeal of the enactments specified in Part II of Schedule 14 to this Act—

*Changes to legislation: There are currently no known outstanding effects
for the Water Resources Act 1963, Part X. (See end of Document for details)*

- (a) shall not affect the operation of any statutory provision made or issued by virtue of any of those enactments before the end of the initial period, whether before or after the passing of this Act, and
- (b) shall not prevent the making or issuing of any such statutory provision in pursuance of an application made to a Minister before the end of that period, whether before or after the passing of this Act, or otherwise affect any proceedings in consequence of such an application.

(5) ^{F33}

Textual Amendments

F33 Ss. 3(1)–(4)(6)(7), 4–15, 16(1), 18, 21(1)(2), 57–59, 61, 62, 80, 83–87, 89, 90, 92, 93(1)(2)(4), 94–104, 110, 119, 121, 124, 125, 127, 129, 136(1)–(3)(5)(6), Schs. 1–6, repealed by [Water Act 1973 \(c. 37\)](#), [Sch. 9](#)

137 Short title and extent.

- (1) This Act may be cited as the Water Resources Act 1963.
- (2) This Act, except—
 - (a) sections . . . ^{F34} and 126 thereof . . . ^{F35}, and
 - (b) any provision of this Act in so far as it affects the operation of the enactments mentioned in section 126 (1) of this Act in accordance with that subsection or in so far as it affects the operation of the ^{M1}Border Rivers (Prevention of Pollution) Act 1951, shall not extend to Scotland.
- (3) This Act . . . ^{F35} shall not extend to Northern Ireland.

Textual Amendments

F34 Reference to s. 93(3) repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), [Sch. 1 Pt. XIII](#)
F35 Words repealed by [House of Commons Disqualification Act 1975 \(c. 24\)](#), s. 10, [Sch. 3](#)

Marginal Citations

M1 1951 c.7.

Changes to legislation:

There are currently no known outstanding effects for the Water Resources Act 1963, Part X.