



# Avon Weir Act 1992

## 1992 CHAPTER v

### PART V

#### THE IMPOUNDED RIVER

#### **39 Extinguishment of navigation, etc., rights in impounded river**

- (1) All such rights of navigation or access over or along the impounded river as may exist immediately before this section comes into operation, whether public or private and howsoever arising, shall be extinguished to the extent that such rights are adversely affected by reason of the construction or operation of the works.
- (2) The Corporation shall pay compensation to any person who suffers damage by reason of the extinguishment effected by this section; and any question as to the amount of compensation so paid shall be determined by the tribunal.
- (3) In assessing any compensation payable under subsection (2) above the tribunal shall take account of—
  - (a) the extent to which the rights mentioned in subsection (1) above have been exercised; and
  - (b) the availability of the impounded river for navigation as provided in this Act.