

SCHEDULES

SCHEDULE 2

Sections 2 and 4.

ADAPTATION OF STATUTORY PROVISIONS AND ENACTMENTS IN CONSEQUENCE OF TRANSFER OF FUNCTIONS

PART I

Introductory

- 1 The provisions of this Schedule shall have effect as from the second appointed day.

PART II

General Adaptation of Statutory Provisions

- 2 Subject to the following provisions of this Schedule, all enactments, orders, schemes, regulations, awards and byelaws passed or made before the second appointed day, whether before or after the passing of this Act, shall have effect subject to the following adaptations—
- (a) general references to a local water authority or to the limits of supply or to the area or district of such an authority shall be construed respectively as references to a regional water board or the region of such a board ;
 - (b) any such general references as aforesaid in any of the following provisions of the Water (Scotland) Acts 1946 and 1949, that is to say.—
 - (i) sections 12, 19, 20, 21, 22, 25, 26, 38, 44, 50, 58, 60, 61, 62, 63, 65, 72, 78, and 84(3), of, and Schedule 1 and Part I of Schedule 3 to the Water (Scotland) Act 1946, and
 - (ii) sections 23 and 24 of, and Schedule 1 to, the Water (Scotland) Act 1949,shall be construed as including a reference to a water development board or the area of such a board ;
 - (c) any general reference in sections 1, 24 and 43 of, and Schedule 1 to, the said Act of 1946 and in section 31 of the said Act of 1949 to a local authority or their district, in relation to a supply of water, shall be construed as a reference to a regional water board or their region;
 - (d) any such general reference as aforesaid in the said sections and the said Schedule shall be construed as including a reference to a water development board or the area of such a board;
 - (e) any reference in the Water (Scotland) Acts 1946 and 1949 to a supply of water shall, in relation to a water development board, be construed as a reference to a supply of water in bulk to one or more regional water boards

or to another water development board, and the expression " consumer " shall be construed accordingly;

- (f) references to a particular local water authority or to the limits of supply of a particular local water authority shall be construed as references to the appropriate regional water board or the appropriate region of such a board, as the case maybe.

3 In the foregoing paragraph " appropriate regional water board " in relation to a local water authority means the regional water board in relation to which the limits of supply of that authority are specified in the third column of Schedule 1 to this Act, and " the appropriate region " shall be construed accordingly.

4 The provisions of sub-paragraph (f) of paragraph 2 of this Schedule shall apply in relation to the Central Board and their area as they apply to a regional water board and their region subject to the following modifications—

- (a) for any reference to a local water authority there shall be substituted a reference to a joint water board whose functions are transferred to the Central Board under this Act; and
- (b) for any reference to the appropriate regional water board or to the appropriate region of such a board there shall be substituted a reference to the Central Board and to their area.

PART III

Specific Adaptations of the [Water \(Scotland\) 1946 c. 42](#)

5 In section 2.—

- (a) for the words " local water authority " and " water authority " there shall be substituted the words " regional water board or water development board ",
- (b) in paragraph (a), for the words from " the area where " to " supply water " there shall be substituted the words " their area ",
- (c) at the end of the section there shall be added the following subsection—

“(2) For the purposes of this section the expression " area", in relation to a regional water board, means their region.”

6 In section 8, for any reference to a local authority there shall be substituted a reference to a regional water board, and for any reference to the district of a local authority there shall be substituted a reference to a region.

7 In section 13.—

- (a) for any reference to a local authority or a local water authority there shall be substituted a reference to a regional water board and a water development board ; and
- (b) in subsection (1)(b), the words from " supplying " to " enactment " shall be omitted.

8 In section 24.—

- (a) in subsection (1)(b) for the words from " whether " to " not" there shall be substituted the words " not being a regional water board or a water development board "; and
- (b) in subsection (2) the words " whether a local water authority or not " shall be Omitted.

- 9 In section 29(1), after the words " local authority " there shall be inserted the words " or a regional water board ",
and after the word " district", there shall be inserted the words " or, as the case may be, their region " .
- 10 In section 30, after the words " local authority " there shall be inserted the words " or a regional water board ", and after the word " district", there shall be inserted the words " or, as the case may be, their region " .
- 11 In section 44, in subsection (1), for the words from " sixteen " to " forty-two" there shall be substituted the words " 19 or section 21 " ; and in subsection (2) the words " supplying water under a local enactment " , and the proviso shall be omitted.
- 12 In section 46, for the words " a local authority supplying or authorised to supply water under this Act" there shall be substituted the words " a regional water board or a water development board " .
- 13 Notwithstanding the provisions of paragraphs 2(c) and (d) of this Schedule, paragraphs 2, 11 and 19 of Schedule 1 shall continue to have effect as if any notice, required by the provisions of those paragraphs to be served on a local authority, continued to be so required.

Specific Adaptations of Other Enactments

- 14 In the Rural Water Supplies and Sewerage Act 1944, local authorities, for the purposes of section 1, shall, in relation to sewerage or the disposal of sewage, be those specified in subsection (6) of that section, as read with section 7, and in relation to the provision of a water supply, shall be the regional water boards.
- 15 In the New Towns Act 1946—
- (a) in section 9 as read with section 25(11)—
 - (i) in subsection (1), the word " water " shall be omitted, and
 - (ii) in subsections (2), (3) and (4), after the words " local authority " wherever occurring there shall be inserted the words " or, as the case may be, the regional water board " ,
 - (b) in section 25(23), after the expression " local authority " where first occurring there shall be inserted the words " or, as the case may be, a regional water board " , and
 - (c) in section 26(1), there shall be inserted the following definition—

“" regional water board " has the meaning assigned to it by section 34(1) of the Water (Scotland) Act 1967.”
- 16 In the Water Resources Act 1963, in section 127—
- (a) in subsection (1), for the words " local water authorities" there shall be substituted the words " regional water boards " ; and
 - (b) in subsection (2), for the words from " " local water authority " " to " 1946 " there shall be substituted the words

“" regional water board " and " river purification authority " have the meanings assigned to them respectively by section 34(1) of the Water (Scotland) Act 1967”.
- 17 In the Local Government (Scotland) Act 1966, any reference to a water undertaking or a local water authority or their limits of supply shall include a reference to a water development board or their area, and water supplied by such a board in bulk shall,

for the purposes of Schedule 2 to that Act, be deemed to be supplied for distribution or use outside the area of that board.

- 18 For the purposes of Part II of Schedule 2 to the said Act of 1966, any transfer, in whole or in part, under the Water (Scotland) Acts 1946 to 1967, of the undertaking of a local water authority, or of a regional water board or of a water development board to such a board shall be deemed to be an amalgamation of water undertakings.