



# Water Act 1973

## 1973 CHAPTER 37

**E+W**

An Act to make provision for a national policy for water, for the conferring and discharge of functions as to water (including sewerage and sewage disposal, fisheries and land drainage) and as to recreation and amenity in connection with water, for the making of charges by water authorities and other statutory water undertakers, and for connected purposes.  
[18th July 1973]

### PART I **U.K.**

1—3. ....<sup>F1</sup> **E+W**

#### Textual Amendments

**F1** Ss. 1–3, 5 repealed by [Water Act 1989](#) (c. 15, SIF 130), s. 190, [Sch. 27 Pt.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)

4 .....<sup>F2</sup> **U.K.**

#### Textual Amendments

**F2** [S. 4](#) repealed by [Water Act 1983](#) (c. 23, SIF 130), [Sch. 2](#) para. 3(1), [Sch. 5 Pt. I](#)

5 .....<sup>F3</sup> **E+W**

*Status: Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)*

#### Textual Amendments

**F3** Ss. 1–3, 5 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt.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)

**6** ..... **F4 E+W**

#### Textual Amendments

**F4** S. 6 repealed by Water Act 1983 (c. 23, SIF 130), Sch. 2 para. 3(1), **Sch. 5 Pt. I**

**7, 8.** ..... **F5 E+W**

#### Textual Amendments

**F5** Ss. 7, 8 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt.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)

## PART II **E+W+S**

### FUNCTIONS OF WATER AUTHORITIES

#### **[<sup>F6</sup>9 Transfer to water authorities of functions of river authorities. **E+W+S****

Subject of Part IV of Schedule 5 to this Act and to the provisions of any instrument under this Act, the functions which immediately before 1st April 1974 are exercisable by river authorities as respects their respective areas under any enactment or instrument shall be exercisable by water authorities as respects water authority areas and accordingly, but subject to any such provision, in any enactment or instrument—

- (a) any reference to a river authority or any reference which falls to be construed as a reference to a river authority shall, except where it is a reference to a specified river authority or is to be construed as such, be construed as a reference to a water authority; and
- (b) any reference to a river authority area or any reference which falls to be construed as a reference to a river authority area shall, except where it is a reference to a specified area or is to be construed as such, be construed as a reference to water authority area.]

#### Textual Amendments

**F6** S. 9 repealed (E.W.) 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)

**10—** ..... **F7 E+W**  
**13.**

**Status:** Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

### Textual Amendments

- F7** Ss. 10–13 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)

14

**E+W**

- (1) ..... **F8**  
(4) ..... **F9**  
(5) ..... **F8**

### Textual Amendments

- F8** S. 14(1)–(3)(5)–(8) 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)  
**F9** S. 14(4) 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)

15— ..... **F10** **E+W**  
17.

### Textual Amendments

- F10** Ss. 15–17 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) (and subject to savings for s. 16(5)(10) as mentioned in s. 190(2), Sch. 26 para. 14(1)(5) )

18 ..... **F11** **E+W**

### Textual Amendments

- F11** S. 18 repealed by Salmon and Freshwater Fisheries Act 1975 (c. 51, SIF 52:2), s. 42, **Sch. 5**

19 ..... **F12** **E+W**

### Textual Amendments

- F12** S. 19 repealed by Land Drainage Act 1976 (c. 70, SIF 73:1), **Sch. 8**

20— ..... **F13** **E+W**  
22.

**Status:** Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

#### Textual Amendments

**F13** Ss. 20–22 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)

**23** ..... **F14** **E+W**

#### Textual Amendments

**F14** S. 23 repealed by Water Act 1983 (c. 23, SIF 130), Sch. 2 para. 3(1), **Sch. 5 Pt. I**

**24,** ..... **F15** **E+W**  
**24A.**

#### Textual Amendments

**F15** S. 24 and s. 24A (which was inserted by Water Act 1983 (c. 23, SIF 130), ss. 3(3), 7, **Sch. 2 para. 3(1)**) 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)

**25** ..... **F16** **E+W**

#### Textual Amendments

**F16** S. 25 repealed by Local Government Act 1985 (c. 51, SIF 81:1), ss. 1, 102(2)(3), **Sch. 17**

**26** **E+W**

(1) ..... **F17**

(2) ..... **F18**

#### Textual Amendments

**F17** S. 26(1) 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)

**F18** S. 26(2)–(4) repealed by Water Act 1983 (c. 23, SIF 130), Sch. 2 para. 3(1), **Sch. 5 Pt. I**

**27, 28.** ..... **F19** **E+W**

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### Textual Amendments

- F19** Ss. 27–31 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) (and subject to a saving for s. 30 as mentioned in s. 190(2), Sch. 26 para. 16(4) )

## PART III **E+W**

**29—** ..... **F20** **E+W**  
**31.**

### Textual Amendments

- F20** Ss. 27–31 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) (and subject to a saving for s. 30 as mentioned in s. 190(2), Sch. 26 para. 16(4) )

**32** ..... **F21** **E+W**

### Textual Amendments

- F21** S. 32 repealed by Public Utility Transfers and Water Charges Act 1988 (c. 15, SIF 130), s. 6, **Sch. 3**

**32A** ..... **F22** **E+W**

### Textual Amendments

- F22** S. 32A (which was inserted by Local Government Act 1974 (c. 7, SIF 81:1), **s. 38**) and s. 33 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)

## PART IV **E+W**

### MISCELLANEOUS

**33** ..... **F23** **E+W**

### Textual Amendments

- F23** S. 32A (which was inserted by Local Government Act 1974 (c. 7, SIF 81:1), **s. 38**) and s. 33 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)

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### 34 Consequential, transitional and supplementary provision. **E+W**

(1) ..... F24

[<sup>F25</sup>(2) The provisions of Part II of that Schedule, being provisions which reproduce with modifications certain provisions of section 262 of the 1972 Act (local Acts and instruments), shall have effect with respect to local statutory provisions in force immediately before 1st April 1974.]

(3) ..... F26

#### Textual Amendments

**F24** S. 34(1) repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. II** (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) (subject to a saving as mentioned in S.I. 1989/1557, **art. 5(1)**)

**F25** S. 34(2) repealed (*prosp.*) by Water Act 1989 (c. 15, SIF 130), ss. 190, 194(4), Sch. 27 Pt. II (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**)

**F26** S. 34(3) repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. II** (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)

#### Modifications etc. (not altering text)

**C2** S. 34 amended by Water Act 1983 (c. 23, SIF 130), ss. 3(3), 6(2), Sch. 2 para. 3(1), **Sch. 3**

**C3** In s. 34(2) “that Schedule” is a reference to Schedule 6 to this Act

### 35 Isles of Scilly. **E+W**

(1) ..... F27

[<sup>F28</sup>(3) Except as provided by an order under this section, this Act shall not extend to the Isles of Scilly.]

#### Textual Amendments

**F27** S. 35(1)(2) repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. II** (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. 35(3) repealed (*prosp.*) by Water Act 1989 (c. 15, SIF 130), ss. 190, 194(4), Sch. 27 Pt. II (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**)

### 36 Orders, regulations and byelaws. **E+W**

[<sup>F29</sup>(1) Any power to make orders or regulations conferred on the appropriate Minister or Ministers by or by virtue of this Act shall be exercisable by statutory instrument.

(2) Any power to make an order conferred by or by virtue of any provision of this Act shall include power to make an order varying or revoking any order previously made under or by virtue of that provision.]

(3) ..... F30

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#### Textual Amendments

- F29** S. 36(1)(2) repealed (*prosp.*) by Water Act 1989 (c. 15, SIF 130), ss. 190(3), 194(4), Sch. 27 Pt. II (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**)
- F30** S. 36(3) 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)

#### [<sup>F31</sup>37 Expenses. **E+W**

There shall be defrayed out of moneys provided by Parliament—

- (a) any expenses incurred by any Minister under this Act;
- (b) any increase attributable to the provisions of this Act in the sums payable out of moneys so provided under any other enactment.]

#### Textual Amendments

- F31** Ss. 37–39 repealed (E.W.) 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)

#### [<sup>F32</sup>38 Interpretation. **E+W**

- (1) In this Act, unless the context otherwise requires, the following expressions have the following meanings respectively, that is to say—

“the appropriate Minister or Ministers” and “the Ministers” have the meanings assigned to them by section 1 above;

<sup>F33</sup>

“county”, “district”, “county council”, and “district council”, mean respectively a county, district, county council and district council established by the 1972 Act;

“development corporation” means a development corporation established under the <sup>M1</sup>New Towns Act 1965 or any Act replaced by that Act;

“existing local authority” means a local authority within the meaning of the <sup>M2</sup>Local Government Act 1933;

“joint water board” and “joint water committee” mean respectively a joint board and a joint committee which has been constituted under section 9 of the <sup>M3</sup>Water Act 1945 and on which a statutory water company is represented;

“land drainage” includes defence against water (including sea water), irrigation other than spray irrigation, warping and the provision of flood warning systems, and “land drainage functions” shall be construed accordingly;

“local authority” means a county council, . . . <sup>F34</sup> a district council, a London borough council or the Common Council of the City of London;

“local land drainage committee” and “regional land drainage committee” mean respectively the committees [<sup>F35</sup>referred to by those names in sections 2 and 4 respectively of the <sup>M4</sup>Land Drainage Act 1976];

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“local land drainage district” means a local land drainage district [<sup>F36</sup>established or continued under section 4 of the <sup>M5</sup>Land Drainage Act 1976] and any part of a water authority area which is to be treated as a local land drainage district for the purposes of [<sup>F36</sup>sections 45 to 49 of that Act (in accordance with section 89(2) of that Act)];

“local statutory provision” means a provision of a local Act (including an Act confirming a provisional order) or a provision of a public general Act passed with respect to some area or a provision of an instrument made under any such local or public general Act or of an instrument in the nature of a local enactment made under any other Act;

[<sup>F37</sup>“London excluded area” has the meaning given by section 116 of the <sup>M6</sup>Land Drainage Act 1976;]

“the 1972 Act” means the <sup>M7</sup>Local Government Act 1972;

“public authority” includes a statutory water company;

“public sewer” has the same meaning as in the <sup>M8</sup>Public Health Act 1936 and “private sewer” shall be construed accordingly;

<sup>F38</sup>

“river authority”, “underground strata”, “inland water”, “watercourse” and “water resources” have the same meanings respectively as in the <sup>M9</sup>Water Resources Act 1963;

“statutory water company” means a company authorised immediately before the passing of this Act by any local statutory provision to supply water or a company in whom the assets of any company so authorised have subsequently become vested;

“statutory water undertakers” has the meaning assigned to it by section 11(6) above;

“supply of water in bulk” and “water fittings” have the same meanings as in the <sup>M10</sup>Water Act 1945;

(2) ..... <sup>F39</sup>

(3) 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, applied or extended by or under any other enactment, including this Act.]

#### Textual Amendments

- F32** Ss. 37–39 repealed (E.W.) 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)
- F33** Definition of “the Council” repealed by [Water Act 1983](#) (c. 23, SIF 130), ss. 3(3), 11(3), Sch. 2 para. 3(1), **Sch. 5 Pt. I**
- F34** Words repealed by [Local Government Act 1985](#) (c. 51, SIF 81:1), ss. 1, 102(2)(3), **Sch. 17**
- F35** Words substituted by [Land Drainage Act 1976](#) (c. 70, SIF 73:1), **Sch. 7 para. 1(b)(i)**
- F36** Words substituted by [Land Drainage Act 1976](#) (c. 70, SIF 73:1), **Sch. 7 para. 1(b)(ii)**
- F37** Definition substituted by S.I. 1986/208, art. 5(1), Sch. I Pt. I
- F38** Definition of “regional water board”, and “water development board” repealed by [Water Act 1983](#) (c. 23, SIF 130), ss. 3(3), 11(3), Sch. 2 para. 3(1), **Sch. 5 Pt. I**
- F39** S. 38(2) repealed by [Interpretation Act 1978](#) (c. 30, SIF 115:1), **Sch. 3**



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**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

### Marginal Citations

<b>M1</b>	1965 c. 59
<b>M2</b>	1933 c. 51
<b>M3</b>	1945 c. 42 (130)
<b>M4</b>	1976 c. 70 (73:1)
<b>M5</b>	1976 c. 70 (73:1)
<b>M6</b>	1976 c. 70 (73:1)
<b>M7</b>	1972 c. 70 (81:1)
<b>M8</b>	1936 c. 49 (100:1)
<b>M9</b>	1963 c. 38 (130)
<b>M10</b>	1945 c. 42 (130)

### [<sup>F40</sup>39 Commencement. E+W

- (1) The following provisions of this Act shall come into operation on 1st April 1974, that is to say—
  - section 9, except so far as relating to sections 21 and 22 of the <sup>M11</sup>Land Drainage Act 1930, Part VI of the <sup>M12</sup>Local Government Act 1948, section 21 of the <sup>M13</sup>Land Drainage Act 1961 and section 82 of the <sup>M14</sup>Water Resources Act 1963;
  - section 10;
  - section 11, except subsection (6) so far as relating to section 12 of the Water Act 1945;
  - section 12(1) and (6) to (11), except subsections (9) and (11) so far as relating to section 12 of the Water Act 1945;
  - section 13(3) and (4);
  - section 14;
  - section 16;
  - section 17;
  - section 18;
  - section 19(6) to (11);
  - section 20;
  - section 21(3) to (6);
  - section 24;
  - section 25;
  - section 28;
  - section 29(1);
  - section 33;
  - section 40(2), except so far as relating to the amendments of the <sup>M15</sup>House of Commons Disqualification Act 1957 made by Schedule 8;
  - section 40(3).
- (2) Any provision of, or any instrument made under, another Act which is modified or amended by a provision of this Act which comes into operation before 1st April 1974 shall between the passing of this Act and that date have effect both as modified or amended by this Act and as it would have had effect without the modification or amendment.]

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#### Textual Amendments

**F40** Ss. 37–39 repealed (E.W.) 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)

#### Marginal Citations

**M11** 1930 c. 44  
**M12** 1948 c. 26 (103:2)  
**M13** 1961 c. 48  
**M14** 1963 c. 38 (130)  
**M15** 1957 c. 20

### 40 Short title, minor amendments, repeals and extent. **E+W**

- (1) This Act may be cited as the Water Act 1973.
- (2) The enactments specified in Schedule 8 to this Act shall have effect subject to the amendments, modifications and adaptations set out in that Schedule, being amendments, modifications and adaptations which are consequential on the foregoing provisions of this Act and minor amendments.
- (3) The enactments specified in Schedule 9 to this Act (which include enactments that were obsolete or unnecessary before the passing of this Act) are hereby repealed to the extent mentioned in column 3 of that Schedule.
- (4) The following provisions of this Act, that is to say—
  - (a) section 4(5) to (8), so far as relating to the matters mentioned in section 4(5)(d) and (e);
  - (b) section 9, so far as relating to any enactment which extends to Scotland;
  - (c) ..... <sup>F41</sup>
  - (d) paragraphs 43, and 93 of Schedule 8;
  - (e) in Schedule 9, the repeals in the <sup>M16</sup>Water (Scotland) Act 1967; and
  - (f) so much of this Act as relates to the interpretation or commencement of the foregoing provisions;
 extend to Scotland, but except as aforesaid this Act does not extend to Scotland.
- (5) This Act, except section 4(5) to (8), so far as relating to the matters mentioned in section 4(5)(d) and (e) . . . <sup>F42</sup> and so much of this Act as relates to the interpretation of those provisions, does not extend to Northern Ireland.
- (6) ..... <sup>F43</sup>

#### Textual Amendments

**F41** S. 40(4)(c) repealed by Salmon and Freshwater Fisheries Act 1975 (c. 51, SIF 52:2), s. 42, **Sch. 5**  
**F42** Words repealed by House of Commons Disqualification Act 1975 (c. 24, SIF 89), s. 10, **Sch. 3**  
**F43** S. 40(6) repealed by Statute Law (Repeals) Act 1977 (c. 18), **Sch. 1 Pt. XIII**

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**Modifications etc. (not altering text)**

- C4** The text of s. 40(2)(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
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**Marginal Citations**

**M16** 1967 c. 78(130)

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**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

SCHEDULES

SCHEDULES 1  
AND 2 **E+W**

. . . F44

Textual Amendments

**F44** Schs. 1, 2 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)

SCHEDULE 3 **E+W**

Sections 2, 4 and 23.

ADMINISTRATION, FINANCE, ETC., OF WATER  
AUTHORITIES AND THE NATIONAL WATER COUNCIL

PART I **E+W**

1—21. . . . . F45

Textual Amendments

**F45** Sch. 3 Pts. I, III (paras. 1–21, 31–43) 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) (subject to savings for para. 36 as mentioned in Sch. 26 para. 52 and to savings with modifications for paras. 2(1), 5, 7 as mentioned in S.I. 1989/1161, regs. 3, 4, **Sch. 1**)

PART II **E+W**

22—30. . . . . F46

Textual Amendments

**F46** Sch. 3 Pt. II (paras. 22 – 30) repealed by Water Act 1983 (c. 23, SIF 130), Sch. 2 para. 3(1), **Sch. 5 Pt. I**

PART III **E+W**

31—43. . . . . F47

**Status:** Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.  
**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

**Textual Amendments**

**F47** Sch. 3 Pts. I, III (paras. 1–21, 31–43) 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) (subject to savings for para. 36 as mentioned in Sch. 26 para. 52 and to savings with modifications for paras. 2(1), 5, 7 as mentioned in S.I. 1989/1161, regs. 3, 4, **Sch. 1**)

SCHEDULES 4  
AND 4A **E+W**

. . . **F48**

**Textual Amendments**

**F48** Sch. 4 and Sch. 4A (which was inserted by Water Act 1983 (c.23, SIF 130), ss. 3(3), 6(2), Sch. 2 para. 3(1), **Sch. 3**) 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)

SCHEDULE 5 **E+W**

. . . **F49**

**Textual Amendments**

**F49** Sch. 5 repealed by Land Drainage Act 1976 (c. 70, SIF 130), **Sch. 8**

SCHEDULE 6 **E+W**

CONSEQUENTIAL, TRANSITIONAL AND SUPPLEMENTARY PROVISION

PART I **E+W**

1—10. . . . . **F50**

**Textual Amendments**

**F50** Sch. 6, Pt. I (paras. 1–10) repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. II** (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) (subject to a saving as mentioned in S.I. 1989/1557, **art. 5(1)** )

**Status:** Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

## [<sup>F51</sup>PART II E+W

### LOCAL ACTS AND INSTRUMENTS

#### Textual Amendments

**F51** Sch. 6 Pt. II (paras. 11–17) repealed (*prosp.*) by Water Act 1989 (c. 15, SIF 130), ss. 190, 194(4), Sch. 27 Pt. II (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)

- 11 Subject to paragraph 12 below, any local statutory provision to which this Part of this Schedule applies and which is not continued in force by any other provision of this Act shall—
  - (a) notwithstanding the transfer of functions and abolition of bodies effected by or under this Act and, in the case of an instrument made under any enactment, notwithstanding the repeal of that enactment, continue to apply on and after 1st April 1974 to, but only to, the area, things or persons to which or to whom it applies before that date;
  - (b) have effect subject to any necessary modifications and to the modifications made by paragraph 13 below;
 but the continuation by this paragraph of an instrument made under any enactment shall not be construed as prejudicing any power to vary or revoke the instrument which is exercisable apart from this paragraph.
- 12 Paragraph 11 above shall have effect subject to the provisions of—
  - (a) this Act and any Act passed after this Act and before 1st April 1974;
  - (b) any order made under section 254 of the 1972 Act, as applied by section 34 above, or paragraph 14 or 15 below.
- 13 As from 1st April 1974 any local statutory provision to which this Part of this Schedule applies and which immediately before that date applies to an area which on that date becomes comprised in one or more water authority areas shall have effect, so far as relates to functions which on that date become exercisable by a water authority and to things done or falling to be done in the exercise of those functions, as if for any reference to the body by whom the functions were exercisable immediately before that date there were substituted a reference to that water authority, or where the former area becomes comprised in two or more water authority areas, the water authority for the water authority area in or as respects which that thing falls to be done.
- 14 Paragraph 13 above shall have effect subject to any provision to the contrary made by, or by any instrument made under, this Act and, without prejudice to the foregoing, the Secretary of State may by order provide for the exercise of functions conferred by any local statutory provision to which this Part of this Schedule applies and exclude the operation of that paragraph where it would otherwise conflict with any provision of the order.
- 15 Where any local statutory provision is continued in force in any area by paragraph 11 above or is amended or modified in its application to any area by an order under section 254 of the 1972 Act, as applied by section 34 above, the appropriate Minister or Ministers may by that order, or in the case of a provision continued as aforesaid, by an order under this paragraph—

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**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

- (a) extend the provision throughout the water authority area in which it is continued in force or extend it to a part of that area in which it was not previously in force;
- (b) provide that that provision as so continued, amended, modified or extended shall have effect in that area or part to the exclusion of any enactment for corresponding purposes, including any enactment contained in or applied by this Act;
- (c) make such modifications of any such enactment in its application to that area or part as would secure that the enactment will operate harmoniously with the said provision in that area or part;
- (d) repeal or revoke any local statutory provision to which this Part of this Schedule applies and which appears to the appropriate Minister or Ministers to have become spent, obsolete or unnecessary or to have been substantially superseded by any enactment or instrument which applies or may be applied to the area, persons or things to which or to whom that provision applies;
- (e) make such modifications of any local statutory provision to which this Part of this Schedule applies in its application to a water authority area or part of such an area as appear to the appropriate Minister or Ministers to be expedient.

#### Modifications etc. (not altering text)

- C5** Functions under para. 15 exercisable by Minister of Agriculture, Fisheries and Food alone or jointly with the Secretary of State, in relation to Welsh National Water Development Authority, now exercisable by Secretary of State: [S.I. 1978/272](#), [Sch. 3 para. 5\(2\)](#)

- 16 A statutory instrument containing an order under paragraph 15 above shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- 17 This Part of this Schedule applies to any local statutory provision in force immediately before 1st April 1974 and relating to—
- (a) a body abolished by section 33 above;
  - (b) functions which immediately before that date are exercisable by an existing local authority and on that date become exercisable by a water authority; or
  - (c) some area constituted for the exercise of functions affected by this Act and situated wholly or partly within Greater London.]

## SCHEDULE 7 E+W

... **F52**

#### Textual Amendments

- F52** [Sch. 7](#) 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)

**Status:** Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

## SCHEDULE 8 E+W+S

### MINOR AND CONSEQUENTIAL AMENDMENTS, ETC.

1—19. . . . . F53

#### Textual Amendments

**F53** Sch. 8 paras. 1–19 repealed by Salmon and Freshwater Fisheries Act 1975 (c. 51, SIF 52:2), s. 42, **Sch. 5**

20, 21. . . . . F54

#### Textual Amendments

**F54** Sch. 8 paras. 20, 21 repealed by Land Drainage Act 1976 (c. 70, SIF 73:1), **Sch. 8**

22, 23. . . . . F55

#### Textual Amendments

**F55** Sch. 8 paras. 22, 23 repealed by Land Drainage (Amendment) Act 1976 (c. 17), **Sch. 3**

24—31. . . . . F56

#### Textual Amendments

**F56** Sch. 8 paras. 24–31 repealed by Land Drainage Act 1976 (c. 70, SIF 73:1), **Sch. 8**

32—36. . . . . F57

#### Textual Amendments

**F57** Sch. 8 paras. 32–36 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)

VALID FROM 01/12/1991

37 . . . . . F58

#### Textual Amendments

**F58** Sch. 8 para. 37 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)

38 . . . . . F59



**Status:** Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

### Textual Amendments

**F59** Sch. 8 para. 38 repealed by Building Act 1984 (c. 55, SIF 15), Sch. 7

VALID FROM 01/12/1991

39 ..... **F60**

### Textual Amendments

**F60** Sch. 8 para. 39 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)

40 ..... **F61**

### Textual Amendments

**F61** Sch. 8 paras. 40, 45–48 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)

41, 42. .... **F62**

### Textual Amendments

**F62** Sch. 8 paras. 41, 42 repealed by Building Act 1984 (c. 55, SIF 15), Sch. 7

## <sup>M17</sup>*Diseases of Fish Act 1937*

### Marginal Citations

**M17** 1937 c. 33.

43 For section 8(2) of the Diseases of Fish Act 1937 (penalties and legal proceedings) there shall be substituted the following subsections—

“(2) In England and Wales a water authority shall have the power to take legal proceedings to enforce provisions of this Act as respects waters in their area.

(3) Offences against this Act committed in Scotland (including offences committed in waters with respect to which functions under this Act are exercisable by the North West Water Authority) shall be prosecuted and fines recovered in manner directed by the Salmon Fisheries (Scotland) Act 1868.”

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**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

#### Modifications etc. (not altering text)

- C6** The text of Sch. 8 paras. 43, 44, 64, 65(2), 87, 93 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

### <sup>M18</sup>*Public Health (Drainage of Trade Premises) Act 1937*

#### Marginal Citations

**M18** 1937 c. 40.

- 44 Section 4(4) of the Public Health (Drainage of Trade Premises) Act 1937 (exemption of laundries from need for consent to discharges) shall cease to have effect.

#### Modifications etc. (not altering text)

- C7** The text of Sch. 8 paras. 43, 44, 64, 65(2), 87, 93 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 45—48. . . . . **F63**

#### Textual Amendments

- F63** Sch. 8 paras. 40, 45–48 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)

VALID FROM 01/12/1991

- 49 . . . . . **F64**

#### Textual Amendments

- F64** Sch. 8 para. 49 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)

- 50 . . . . . **F65**

#### Textual Amendments

- F65** Sch. 8 para. 50 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. II** (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)

- 51—62. . . . . **F66**

**Status:** Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

#### Textual Amendments

**F66** Sch. 8 paras. 51–62 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)

63 ..... **F67**

#### Textual Amendments

**F67** Sch. 8 para. 63 repealed by Control of Pollution Act 1974 (c. 40, SIF 46:4), **Sch. 4**

### <sup>F68M19</sup>Town Development Act 1952

#### Textual Amendments

**F68** Sch. 8 paras. 64, 65 repealed (*prosp.*) by Local Government and Housing Act 1989 (c. 42, SIF 81:1), ss. 194(4), 195(2)(3), **Sch. 12 Pt. II**

#### Marginal Citations

**M19** 1952 c. 54.

64 In section 2(2) of the Town Development Act 1952 (Exchequer contribution to councils of receiving districts), after paragraph (e), there shall be inserted the following paragraph:—

“(ee) payments under section 16 of the Water Act 1973 in respect of the provision of a public sewer needed for the purposes or in consequence of the development.”

#### Modifications etc. (not altering text)

**C8** The text of Sch. 8 paras. 43, 44, 64, 65(2), 87, 93 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

65 (1) ..... **F69**

(2) Section 8(4) of that Act (exercise of sewerage functions by participating authorities) shall cease to have effect.]

#### Textual Amendments

**F69** Sch. 8 para. 65(1) 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)

#### Modifications etc. (not altering text)

**C9** The text of Sch. 8 paras. 43, 44, 64, 65(2), 87, 93 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*Status:* Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.

*Changes to legislation:* There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

## *M20 Local Government (Miscellaneous Provisions) Act 1953*

### Marginal Citations

**M20** 1953 c. 26.

66 ..... **F70**

### Textual Amendments

**F70** Sch. 8 paras. 66, 68, 76, 77 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)

67 ..... **F71**

### Textual Amendments

**F71** Sch. 8 para. 67 repealed by Wildlife and Countryside Act 1981 (c. 69, SIF 4:5), **Sch. 17 Pt. II**

68 ..... **F72**

### Textual Amendments

**F72** Sch. 8 paras. 66, 68, 76, 77 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)

69 ..... **F73**

### Textual Amendments

**F73** Sch. 8 para. 69 repealed by House of Commons Disqualification Act 1975 (c. 24, SIF 89), **Sch. 3**

70, 71. .... **F74**

### Textual Amendments

**F74** Sch. 8 paras. 70, 71 repealed by Highways Act 1980 (c. 66, SIF 59), **Sch. 25**

72—75. .... **F75**

### Textual Amendments

**F75** Sch. 8 paras. 72–75 repealed by Land Drainage Act 1976 (c. 70, SIF 73:1), **Sch. 8**

76, 77. .... **F76**

**Status:** Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

### Textual Amendments

**F76** Sch. 8 paras. 66, 68, 76, 77 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)

VALID FROM 01/12/1991

78, 79. .... **F77**

### Textual Amendments

**F77** Sch. 8 paras. 78, 79 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)

80 (1) .... **F78**

(2) .... **F79**

(3) .... **F78**

### Textual Amendments

**F78** Sch. 8 para. 80(1)(3) 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)

**F79** Sch. 8 para. 80(2) 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)

81, 82. .... **F80**

### Textual Amendments

**F80** Sch. 8 paras. 81, 82, 84 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)

VALID FROM 01/12/1991

83 ..... **F81**

### Textual Amendments

**F81** Sch. 8 para. 83 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)

84 ..... **F82**

**Status:** Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

#### Textual Amendments

**F82** Sch. 8 paras. 81, 82, 84 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)

VALID FROM 01/12/1991

85, 86. . . . . **F83**

#### Textual Amendments

**F83** Sch. 8 paras. 85, 86 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)

### *Harbours Act 1964*

87 In section 58 of the <sup>M21</sup>Harbours Act 1964 (authorities not to be treated as harbour authorities), for the words from “a river board” to “Catchment Board” there shall be substituted the words “ a water authority, a river purification authority, a district board nor an improvement committee ”.

#### Modifications etc. (not altering text)

**C10** The text of Sch. 8 paras. 43, 44, 64, 65(2), 87, 93 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Marginal Citations

**M21** 1964 c. 40.

88, 89. . . . . **F84**

#### Textual Amendments

**F84** Sch. 8 paras. 88, 89 repealed by New Towns Act 1981 (c. 64, SIF 123:3), **Sch. 13**

90 . . . . . **F85**

#### Textual Amendments

**F85** Sch. 8 para. 90 repealed by Water Act 1983 (c. 23, SIF 130), Sch. 2 para. 3(1), **Sch. 5 Pt. I**

91, 92. . . . . **F86**

**Status:** Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.  
**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

### Textual Amendments

**F86** Sch. 8 paras. 91, 92 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)

## *<sup>F87</sup> Agriculture Act 1970*

### Textual Amendments

**F87** Sch. 8 para. 93 repealed (E.W.) 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)

93 In section 98 of the <sup>M22</sup>Agriculture Act 1970 (duty of local authority in Scotland whose area adjoins England to consult English authorities about flood warning systems), for the words from “river” to “1963” there shall be substituted the words “regional water authority established for that area under section 2 of the Water Act 1973 ; ”.]

### Modifications etc. (not altering text)

**C11** The text of Sch. 8 paras. 43, 44, 64, 65(2), 87, 93 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

### Marginal Citations

**M22** 1970 c. 40.

94 ..... **F88**

### Textual Amendments

**F88** Sch. 8 para. 94 repealed by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 3, **Sch. 1 Pt. I** (with Sch. 3 paras. 1, 2, 4, 6)

95—97. .... **F89**

### Textual Amendments

**F89** Sch. 8 paras. 95–97 repealed by Salmon and Freshwater Fisheries Act 1975 (c. 51, SIF 52:2), s. 42, **Sch. 5**

98 ..... **F90**

### Textual Amendments

**F90** Sch. 8 para. 98 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)

**Status:** Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

## SCHEDULE 9 **E+W+S**

Section 40.

### REPEALS

#### Modifications etc. (not altering text)

**C12** The text of Sch. 9 is in the form in which it was originally enacted; it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Chapter	Short title	Extent of repeal
13 & 14 Geo. 5. c. 16.	The Salmon and Freshwater Fisheries Act 1923.	<p>In section 6, the words “in any fishery district”.</p> <p>In section 17(1), the words “in any fishery district”.</p> <p>Section 37.</p> <p>In section 38(1), in paragraph (a) the words “of the fishery district” and paragraphs (b), (c), (g), (h) and (i).</p> <p>Section 41.</p> <p>Sections 43 to 53.</p> <p>In section 54, in subsection (1) paragraph (a), subsection (2), and in subsection (3) paragraph (c).</p> <p>Sections 56 to 58.</p> <p>Section 60.</p> <p>Section 66.</p> <p>In section 67(4), the words from “purporting” to “Act” in the first place where it occurs.</p> <p>Section 81.</p> <p>In section 92(1), the definitions of the “fishery board” and “chairman”.</p> <p>Schedule 3.</p>
20 & 21 Geo. 5. c. 44.	The Land Drainage Act 1930.	<p>In section 1, subsection (4) the words from the beginning to “constituted, and”.</p> <p>Section 2.</p> <p>Section 3.</p>



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Section 5.

In section 7(1), the words from “shall” to “and” where it first occurs.

In section 8(2), in paragraph (c) the words from “submitted” to the end of the paragraph.

Section 12.

Section 15.

Sections 17 to 20.

Section 22(2).

In section 33(4), paragraph (a).

Section 46(6).

In section 47, subsections (2) to (7).

Section 49(3).

In section 50, subsection (1), in subsection (2) the words from “(whether” to “area”, and subsections (3) and (4).

Section 73.

Sections 79 and 80.

Schedule 1.

26 Geo. 5 & 1 Edw. 8. c. 49. The Public Health Act 1936.

Section 14.

Section 16.

In section 20(2), the proviso.

Section 28.

Section 35.

In section 41(1), the words from the beginning to “this Act”.

In section 90(1), the definition of sewerage authority.

Sections 111 to 122.

Section 124(3).

Section 125(3).

Sections 126 to 136.

**Status:** Point in time view as at 01/02/1991. This version of this Act contains provisions that are not valid for this point in time.

**Changes to legislation:** There are currently no known outstanding effects for the Water Act 1973. (See end of Document for details)

		In sections 137(1) and 138(1) and (5), the words “the local authority or other”, wherever occurring.
		In section 142, in the definition of “statutory water undertakers”, the words from “either” to “(b)”.
		Section 310.
1 Edw. 8 & 1 Geo. 6 c. 40.	The Public Health (Drainage of Trade Premises) Act 1937.	Section 4(4).
		Section 12(2).
7 & 8 Geo. 6. c. 26.	The Rural Water Supplies and Sewerage Act 1944.	Section 1(6).
		Section 2.
		Section 4.
8 & 9 Geo. 6. c. 42.	The Water Act 1945.	Sections 1 to 5.
		Section 8.
		Section 9(4).
		Section 11.
		Section 15(3).
		In section 19, in subsection (1), the words from “and the” to the end of the subsection, subsection (6) (b) and the word “and” immediately preceding it and subsection (7).
		In section 23(1), paragraph (ii) of the proviso, and the words from “A consent required” to the end of the subsection.
		In section 24(4), the words “local authority or”.
		Section 28.
		In section 32, in subsection (1) the words “or section forty”, in subsection (2) the words “supplying water under a local enactment” and the proviso, and subsections (4) and (5).

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Section 33(3).

In section 34, in subsection (2) the words “board or” and in subsection (4) the word “boards”.

Section 35(3).

In section 38, in subsection (1) the words from “whether” to “enactment”, and subsections (6) and (7).

Section 40.

In section 46, the words from “or”, in the third place where it occurs, to the end.

In section 55(1)(a)(ii) the words “the water engineer or manager of the water department or”.

In section 59(1), the definitions of “catchment board” and “catchment area”, “fishery board” and “fishery district” and “joint water board”, in the definition of “limits of supply” the words from “so” to the end of the definition, and the definitions of “rivers board” and “statutory water undertakers”.

In Schedule 1, in paragraph 16, the words “board or”, and Parts III, IV and V.

In Schedule 2, in paragraphs 3, 5, 6 and 7 the words “local authority or” wherever occurring.

In Schedule 3, in section 1(1), the definitions of “catchment board” and “catchment area”, “fishery board” and “fishery district” and “rivers board”, section 46(1), sections 47 to 51, and in section 78, paragraphs (a)

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		to (c) of subsection (1), and subsection (2).
		In Schedule 4, the whole Schedule with the exception of the provisions amending sections 275 and 279 of the Public Health Act 1936.
11 & 12 Geo. 6. c. 22.	The Water Act 1948.	<p>Section 1.</p> <p>In section 2, subsections (1) (b) and (4).</p> <p>In section 4, subsections (2), (3) and (4).</p> <p>In section 8, in subsection (1), the words “local authority or” and in the proviso the words “authority or”; in subsection (2), the words “local authority or” and “authority or”; in subsection (4), the words “local authority or” in the first place where they occur and “that local authority or”; and in subsection (5) the words “local authority or”.</p> <p>Section 12.</p> <p>Section 13.</p>
14 & 15 Geo. 6. c. 64.	The Rivers (Prevention of Pollution) Act 1951.	<p>Section 1(1)(b).</p> <p>In section 7, subsection (9) and the proviso to subsection (16).</p> <p>Section 9.</p> <p>In section 11(1), the definitions of “excluded area” and “local authority”.</p> <p>In Schedule 2, paragraphs 5, 6, 8 and 10.</p>
15 & 16 Geo. 6 & 1 Eliz. 2. c. 54.	The Town Development Act 1954.	<p>In section 2, in subsection (2) (d), the words “main water supplies”.</p> <p>Section 8(4).</p> <p>Section 9(3).</p> <p>Section 15.</p>

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6 & 7 Eliz. 2. c. 67.	The Water Act 1958.	Section 4(2).
7 & 8 Eliz. 2. c. 25.	The Highways Act 1959.	Section 295(6).
8 & 9 Eliz. 2. c. 54.	The Clean Rivers (Estuaries and Tidal Waters) Act 1960.	Section 1(6)(c).
9 & 10 Eliz. 2. c. 29.	The Rural Water Supplies and Sewerage Act 1961.	The whole Act.
9 & 10 Eliz. 2. c. 48.	The Land Drainage Act 1961.	Section 3(6).  In section 34, in subsection (6), the words from “or” to the end of the subsection, and in subsection (10) the words “or, as the case may be, the Minister,”.  Section 50.  In Schedule 1, paragraphs 4, 20(4) and 24.
9 & 10 Eliz. 2. c. 50.	The Rivers (Prevention of Pollution) Act 1961.	In section 13(2), the words from “and in sub-paragraph (2)” onwards.
9 & 10 Eliz. 2. c. 57.	The Public Health Act 1961.	Section 15.  Section 65.
1963 c. 33.	The London Government Act 1963.	Sections 35 and 36.  In section 37, subsections (1), (3) and (4).  Sections 38 and 39.  In Schedule 9, Part I ; in Part II, paragraphs 1 to 4, 7 to 10, 12 to 16 and 19 ; in Part III, paragraphs 4(3), 5, 7, 8 and 10 to 12.  Schedule 10.  In Schedule 14, paragraphs 5, 6 and 9 ; in paragraph 10, the words from “and the transitional” to the end of the paragraph ; and in paragraph 15(3), the words from “except” in the definition of “watercourse” to the word “tides”, in the last place where it occurs.

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1963 c. 38.

The Water Resources Act  
1963.

Section 1(1).

In section 3, subsections (1) to (4), (6) and (7).

Sections 4 to 15.

Section 16(1).

Section 18.

Section 19(2).

In section 21, subsections (1) and (2) ; in subsection (3), the words “and the Water Resources Board”; and in subsection (4), the words from “draft” to “and to”.

In section 22(3), the words from “the Water Resources Board” to “or”, and the words “the Board or” and “as the case may be”.

In section 25, subsection (4) and in paragraph (a) of subsection (7), the words “and the Water Resources Board”.

In section 32(5), the words from “or is” to “1936”, the words “sold or leased” and the words “and, in the case of a lease, for the period of the lease”.

Section 33(3).

In section 48(1), the words “and of section 103 thereof”.

Sections 57 to 59.

Sections 61 and 62.

In section 63(1), the words from “either” to “authority”, in the first place where that word occurs.

In section 64, subsection (1) and in subsection (2) the words from the beginning to “subsection”.

Section 69(2).

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Section 76(3).

Section 80.

In section 81(2), the words  
“and after prior consultation  
with the Water Resources  
Board”.

In section 82(1), in  
paragraph (c) the words  
from “and” to the end  
of the paragraph and in  
paragraph (d) the words from  
“and”, where it secondly  
occurs, to the end of the  
paragraph.

Sections 83 to 87.

Sections 88(2).

Sections 89 and 90.

Sections 92 and 93.

Part IX.

Sections 101 to 104.

Section 107(3).

In section 108, in  
subsection (1), the words  
from “either” to “otherwise”  
and in subsection (4)  
the words “to the Water  
Resources Board or”.

Section 110.

Section 119.

Section 121.

In section 123(1)(a), the  
words from “other” to  
“Board”.

Section 124.

Section 125.

In section 126(1),  
paragraph (a) of the proviso.

Section 127.

Section 129.

In section 131, in  
subsection (6) the words  
“notwithstanding anything

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		<p>in section 58 of this Act” and “under any charging scheme”, and in subsection (7) the words “under a charging scheme”.</p> <p>In section 135, in subsection (1) the definitions of “additional members”, “charging scheme”, “constituent council”, “first appointed day”, “functions” and “statutory water undertakers”.</p> <p>Section 136, except subsection (4).</p> <p>Schedules 1 to 6.</p> <p>In Schedule 7, paragraph 14.</p> <p>Schedules 11 to 14.</p>
1965 c. 4.	The Science and Technology Act 1965.	In Schedule 2, the entry relating to the Water Resources Act 1963.
1965 c. 56.	The Compulsory Purchase Act 1965.	In section 33(1)(b), the words from “that”, in the second place where it occurs, to the end of the paragraph, in subsection (2)(b) the words “a local authority within the meaning of the Act of 1946, or” and in subsection (4) the words “ a local authority within the meaning of the Act of 1946 or”.
1967 c. 78.	The Water (Scotland) Act 1967.	<p>In section 36(2), the words “(except paragraph 16 of Schedule 2)”.</p> <p>In Schedule 2, paragraph 16.</p>
1968 c. 34.	The Agriculture (Miscellaneous Provisions) Act 1968.	<p>Section 22.</p> <p>Section 27(6).</p> <p>Section 28.</p> <p>Section 50(2).</p>
1968 c. 41.	The Countryside Act 1968.	<p>Section 22(1).</p> <p>In section 49(2), the definitions of “river</p>



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		authority” and “statutory water undertakers”.
1968 c. 73.	The Transport Act 1968.	Section 115(4).
1969 c. 19.	The Decimal Currency Act 1969.	In Schedule 2, paragraph 30.
1970 c. 40.	The Agriculture Act 1970.	In section 88, subsections (2) and (3).  In section 89, in subsection (4) the words “the Isle of Wight Authority, the Conservators, the Catchment Board”.
		Section 90(2).
1971 c. 34.	The Water Resources Act 1971.	In section 2(2), the words from “and”, where secondly occurring, to the end of the subsection.
1972 c. 21.	The Deposit of Poisonous Waste Act 1972.	In section 7, the words from “and any” to the end of the section.
1972 c. 37.	The Salmon and Freshwater Fisheries Act 1972.	Section 11(3).  In section 15(3), the words from “and”, in the second place where it occurs, to the end.
1972 c. 70.	The Local Government Act 1972.	Section 177(1)(b).  In section 181, subsections (3) to (8).  In section 262(13), the word “water”, in the second place where it occurs.  In Schedule 29, paragraph 24(1) and (4).

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