

# Water Act 1973

# **CHAPTER 37**

# WATER ACT 1973

## **PART I**

# NATIONAL POLICY AND CENTRAL AND LOCAL ORGANISATION

# National policy

1 National policy for water

# Water authorities

- 2 Establishment of water authorities
- 3 Members of water authorities

## National Water Council

4 Establishment and functions of National Water Council

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- 5 Directions to water authorities
- 6 Arrangements for discharge of functions of water authorities
- 7 Supply of goods and services, etc.
- 8 Rationalisation of holdings of property, and of functions

# PART II

## FUNCTIONS OF WATER AUTHORITIES

- 9 Transfer to water authorities of functions of river authorities
- 10 Water conservation
- 11 Water supply

- 12 Supply of water by statutory water companies on behalf of water authorities
- Power of statutory water undertakers to supply places outside their limits of supply
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- 15 Arrangements for discharge of sewerage functions
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**SCHEDULES** 

SCHEDULE 1 — Regional Water Authority Areas

SCHEDULE 2 — Boundaries of Water Authority Areas and Area and Main River Maps

PART I — BOUNDARIES OF WATER AUTHORITY AREAS

### General

1 (1) An order under section 2 above which establishes a...

## Seaward boundaries of water authority areas for general purposes

- 2 (1) Without prejudice to section 19(1) of the Land Drainage...
- In any such case as is mentioned in paragraph 2(4)...

# Seaward boundaries for the purposes of fisheries functions

4 (1) Subject to any order under section 2 above, for...

# Seaward boundaries for the purposes of river pollution functions

- 5 (1) Subject to any order under section 2 above, for... PART II MAPS
- 6 In this Part of this Schedule—" area map"...
- 7 As soon as practicable after the coming into force of...
- 8 The main river maps on 1st April 1974 shall consist...
- 9 The Minister may at any time send a water authority...
- 10 Until a main river map of a water authority area...
- 11 (1) Where—(a) the area of a water authority is...
- 12 (1) Every water authority shall, subject to paragraph 11(1) above,...
- 13 (1) An area map relating to any functions shall be... PART III ALTERATION OF BOUNDARIES
- 14 (1) Before making an order altering the boundaries of a...
- 15 (1) Before making an order altering the boundaries of a...
- 16 (1) Where an objection has been duly made by any...
- 17 A statutory instrument containing an order altering the boundaries of...
- 18 After making an order altering the boundaries of a water...
- 19 (1) Subject to sub-paragraph (2) below, if any person desires...

# SCHEDULE 3 — Administration, Finance, etc, of Water Authorities and the National Water Council

## PART I — WATER AUTHORITIES

## General

- 1 A water authority shall be a body corporate.
- 2 A water authority shall have power to do anything (whether...

## Terms of office of members of water authorities

- 3 The chairman of a water authority and the other members...
- 4 (1) This paragraph applies to members of a water authority...

## Vacation of office by members

- 5 (1) A member of a water authority may resign his...
- 6 (1) The office of a member of a water authority...

## Appointments to fill casual vacancies

- Where, for any reason whatsoever, the place of a member...
- 8 A person appointed by virtue of paragraph 7 above to...

## Disqualification for, and re-appointment to, membership of water authorities

- 9 (1) Subject to the following provisions of this paragraph, a...
- 10 Subject to the provisions of this Schedule, a member of...

#### Remuneration and allowances

11 (1) A water authority—(a) shall pay their chairman and...

## Officers

- 12 Sections 114 to 119 of the 1972 Act (which contain...
- 13 Without prejudice to paragraph 2 above, a water authority may—...

# Meetings and proceedings of water authorities and committees

- 14 (1) In paragraph 1 of the Schedule to the Public...
- 15 (1) Subject to the following provisions of this paragraph, a...
- 16 The proceedings of a water authority, or of any committee...
- 17 (1) Subject to the following provisions of this paragraph, the...
- 18 (1) A minute of the proceedings of a meeting of...

## Authentication of documents

19 Any notice or other document which a water authority are...

#### Contracts

20 (1) A water authority shall make rules with respect to...

# Interpretation

- 21 In this Part of this Schedule references to a committee...
  PART II THE NATIONAL WATER COUNCIL
- 22 The Council shall be a body corporate.
- 23 The Council shall have power to do anything (whether or...
- 24 The members of the Council, other than the chairmen of...
- 25 (1) Any such member of the Council may by notice...
- 26 Paragraphs 6 and 9 above, except sub-paragraph (1)(a) of paragraph...
- 27 (1) The Council—(a) shall pay to the appointed members...
- 28 (1) The quorum of the Council and the arrangements relating...
- 29 The Council may arrange for the discharge of any of...
- 30 The validity of any proceedings of the Council shall not...

PART III — FINANCIAL AND ADMINISTRATIVE PROVISIONS

## Revenue and reserves

- 31 (1) A water authority shall charge to revenue account in...
- 32 (1) The Ministers may with the approval of the Treasury...
- 33 Expenditure of the Council shall, so far as not defrayed...

#### Loans and grants

- 34 (1) A water authority and the Council may borrow money...
- 35 (1) The Secretary of State may with the approval of...
- 36 (1) The Treasury may guarantee, in such manner and on...
- 37 It shall be the duty of the Secretary of State...

## Accounts and audit of authorities and Council

- 38 (1) It shall be the duty of a water authority...
- 39 All accounts of a water authority and the Council shall...

Annual reports of authorities, Council and Water Space Amenity Commission

- 40 (1) Each water authority, the Council and the Water Space...
- 41 It shall also be the duty of every water authority...

# Relationship of Welsh and Severn-Trent Water Authorities

- 42 (1) The Severn-Trent Water Authority shall consult the Welsh authority...
- 43 (1) Where the Severn-Trent Water Authority acquire an estate or...

## SCHEDULE 4 — Supply of Water in Bulk and Default Powers

PART I — SECTIONS TO BE SUBSTITUTED FOR SECTIONS 12 AND 13 OF THE WATER ACT 1945

# PART II — MAKING AND CONFIRMATION OF WATER AUTHORITY ORDERS

- 1 No order made by a water authority under section 12...
- 2 A water authority shall, at least one month before they...
- 3 For at least one month before an application is made...
- 4 The water authority shall provide reasonable facilities for the inspection...
- 5 Any person on application to the water authority shall be...
- 6 The Secretary of State, with or without a local inquiry,...
- 7 The Secretary of State may fix the date on which...
- 8 An order confirmed under this Part of this Schedule shall...
- 9 Any person on application to the water authority shall be...
- 10 Subsections (2) to (5) of section 250 of the Local...

## SCHEDULE 5 — Land Drainage

PART I — REGIONAL AND LOCAL LAND DRAINAGE COMMITTEES

## Regional Land Drainage Committees

- 1 (1) Every water authority shall establish not later than 1st...
- 2 (1) The chairman of a regional land drainage committee shall...
- 3 (1) In determining for the purposes of an order under...

# Local Land Drainage Committees

- 4 (1) It shall be the duty of every regional land...
- 5 (1) Subject to sub-paragraphs (2) and (3) below, a local...
- 6 (1) a regional land drainage committee may at any time...

## General

- 7 (1) Members of a regional or local land drainage committee...
- 8 (1) Paragraphs 6 to 10 and 19 of Schedule 3...
- 9 (1) Subject to the following provisions of this paragraph, a... PART II FINANCIAL PROVISIONS FOR LAND DRAINAGE

# Notional local land drainage districts

10 For the purposes of this Part of this Schedule and...

# Precepts by water authorities

11 (1) For the purposes of this paragraph the aggregate amount...

## General drainage charges

- 12 (1) For section 1 of the Land Drainage Act 1961...
  - PART III CALCULATION OF APPROPRIATE PENNY RATE PRODUCT
- 13 (1) For the purposes of the application of this Schedule...

PART IV — LONDON

#### General

- 14 Nothing in section 9 or section 19(1) above shall make...
- 15 The Greater London Council shall be entitled to appoint one...
- 16 (1) No part of the London excluded area shall be...

# Duties and powers of Greater London Council and Thames Water Authority

- 17 (1) The following provisions of this Act, namely—section 4(5)(a)...
- 18 (1) If the Greater London Council intend to carry out...
- 19 (1) If the water authority intend—(a) to carry out...
- 20 The Minister may give the Greater London Council directions, either...
- 21 Paragraphs 11 to 14 of Schedule 14 to the London...

# Amendments of enactments relating to London excluded area

- 22 (1) The amendments specified in this paragraph shall have effect...
- 23 In Schedule 14 to the London Government Act 1963 (land...

# SCHEDULE 6 — Consequential, Transitional and Supplementary Provision PART I — ADAPTATIONS OF 1972 ACT

# General Adaptations of 1972 Act

- 1 Any reference in any of the applied provisions of the...
- 2 Any reference in any of the applied provisions to another...
- 3 Any reference in any of the applied provisions to an...

# Specific adaptations of 1972 Act

- 4 In section 68, as it applies for the purposes of...
- 5 (1) In section 254, as it applies for the purposes...
- 6 (1) In section 255(2), as it applies for the purposes...
- 7 In section 256(1), as it applies for the purposes of...
- 8 (1) In section 257, as it applies for the purposes...
- 9 In section 259(4), as it applies for the purposes of...

# Supplemental

- 10 (1) In this Part of this Schedule— " applied "...
  PART II LOCAL ACTS AND INSTRUMENTS
- 11 Subject to paragraph 12 below, any local statutory provision to...
- 12 Paragraph 11 above shall have effect subject to the provisions...
- 13 As from 1st April 1974 any local statutory provision to...
- 14 Paragraph 13 above shall have effect subject to any provision...
- 15 Where any local statutory provision is continued in force in...
- 16 A statutory instrument containing an order under paragraph 15 above...
- 17 This Part of this Schedule applies to any local statutory...

## SCHEDULE 7 — Procedure Relating to Byelaws

PART I — BYELAWS MADE BY THE SECRETARY OF STATE OR THE MINISTER

- 1 At least one month before a byelaw relating to the...
- 2 The appropriate Minister or Ministers shall also cause copies of...
- 3 For at least one month before the date on which...
- 4 A water authority shall provide reasonable facilities for the inspection...
- 5 Any person, on application to the water authority, shall be...
- 6 The appropriate Minister or Ministers may fix the date on...
- 7 Any byelaw made in accordance with this Part of this...
- 8 Any person on application to the water authority shall be...
- 9 If it appears to the appropriate Minister or Ministers that...
- 10 The production of a printed copy of a byelaw purporting...
- 11 Subsections (2) to (5) of section 250 of the 1972...

PART II — BYELAWS MADE BY WATER AUTHORITIES AND OTHER STATUTORY WATER UNDERTAKERS AND INTERNAL DRAINAGE BOARDS

- 12 (1) No byelaw made by an authority to whom this...
- An authority to whom this Part of this Schedule applies...
- 14 For at least one month before an application is made...
- 15 The authority shall provide reasonable facilities for the inspection without...
- 16 Any person on application to the authority shall be entitled...
- 17 (1) Subject to sub-paragraph (2) below, the appropriate Minister or...
- 18 The appropriate Minister or Ministers may fix the date on...
- 19 Any byelaw confirmed under this Part of this Schedule shall...
- 20 Any person on application to the authority shall be entitled...
- 21 If it appears to the appropriate Minister or Ministers that...
- 22 The production of a printed copy of a byelaw purporting...
- 23 Subsections (2) to (5) of section 250 of the 1972...

## SCHEDULE 8 — Minor and Consequential Amendments, etc.

## Salmon and Freshwater Fisheries Act 1923

- 1 In section 1(2) of the Salmon and Freshwater Fisheries Act...
- 2 In section 5 of that Act (saving for acts done...
- 3 In section 9(1) of that Act (prohibition of use of...
- 4 In section 11(2) of that Act (prohibition of placing or...
- 5 In section 14(3) of that Act (rules for fishing mill...
- 6 In subsections (1) and (3) of section 18 of that...
- 7 In section 19 of that Act (penalty for making obstructions...
- 8 In section 22(5) of that Act (penalty for injuring or...
- 9 In section 23(1) of that Act for the words "fishery...
- 10 In the provisos to sections 26(2) and 31(2) of that...
- In section 36(3) of that Act (prohibition on using eel...
  In section 39(1) of that Act (applications for orders) for
- In section 39(1) of that Act (applications for orders) for...
  In section 54(1) of that Act (general powers) for the...
- 14 In section 59(1) of that Act (byelaws) for the words...
- 15 In section 68 of that Act (power to enter lands)—...
- 16 In section 69 of that Act (order to enter suspected...
- 17 In section 70 of that Act (warrant to enter suspected...
- 18 For section 72 of that Act (powers of officers appointed...

19 For section 77(1) of that Act (certificates of conviction) there...

## Land Drainage Act 1930

- 20 (1) In subsection (1) of section 1 of the Land...
- 21 (1) In subsection (1) of section 4 of that Act...
- 22 (1) In subsection (1) of section 8 of that Act...
- 23 Section 11 of that Act (transfer of functions of internal...
- 24 (1) For subsection (1) of section 22 of that Act...
- 25 In section 23(1) of that Act (expenses) for the words...
- 26 (1) For subsection (1) of section 24 of that Act...
- 27 In the following provisions of that Act, namely, sections 26...
- 28 (1) In section 47(1) of that Act (byelaws) for the...
- 29 In subsections (1) and (5) of section 49 of that...
- 30 In section 76(2) of that Act (accretion of land resulting...
- 31 In section 81 of that Act (interpretation) for the definitions...

## Public Health Act 1936

- 32 In section 15(1) of the Public Health Act 1936 (power...
- 33 For section 20 of that Act (vesting of public sewers...
- 34 In section 24(4) of the Public Health Act 1936 (lengths...
- 35 Section 28 of that Act (communications between sewerage authorities' sewers)...
- 36 (1) Notwithstanding the repeal by this Act of section 37...
- 37 (1) Where a person proposes under section 34 of that...
- 38 In section 40(4) of that Act (soil pipes and ventilating...
- 39 (1) In section 48(1) of that Act (examination and testing...
- 40 In section 50(1) of that Act (overflowing and leaking cesspools)...
- 41 In section 137(1) of that Act, as amended by section...
- 42 (1) In section 138(1) of the said Act of 1936,...

## Diseases of Fish Act 1937

43 For section 8(2) of the Diseases of Fish Act 1937...

## Public Health (Drainage of Trade Premises) Act 1937

44 Section 4(4) of the Public Health (Drainage of Trade Premises)...

# Rural Water Supplies and Sewerage Act 1944

- 45 In section 1(1) and (4) of the Rural Water Supplies...
- 46 Section 2 of that Act (contributions by county councils towards...

### Water Act 1945

- 47 For subsections (1) and (2) of section 10 of the...
- 48 (1) In the second paragraph of subsection (10) of section...
- 49 In the proviso to section 15(1) of that Act (agreements...
- 50 In section 19(1) of that Act (byelaws) for the words...
- 51 In paragraph (a) of the proviso to section 22(2) of...
- 52 In section 34 of that Act (temporary discharge of water...
- 53 (1) The following provisions of this paragraph shall have effect...
- 54 At the end of section 42(2) of that Act (accounts)...
- 55 In section 55(1)(c) of that Act (authentication of documents) for...

- 56 In section 59(1) of the Water Act 1945 (interpretation), in...
- 57 In paragraphs 2 and 11 of Schedule 1 to that...
- 58 In paragraph 3 of that Schedule, for sub-paragraphs (ii) and...
- 59 In paragraph 12 of that Schedule—(a) for sub-paragraph (ii)...
- 60 In section 1(1) (interpretation) of Schedule 3 to that Act...

#### Water Act 1948

- 61 For section 9 of the Water Act 1948 (subscriptions to...
- 62 In section 14(1) of that Act (duty of statutory water...

# Rivers (Prevention of Pollution) Act 1951

63 In section 2(1) of the Rivers (Prevention of Pollution) Act...

# Town Development Act 1952

- 64 In section 2(2) of the Town Development Act 1952 (Exchequer...
- 65 (1) In section 7 of the Town Development Act 1952...

# Local Government (Miscellaneous Provisions) Act 1953

66 For section 12 of the Local Government (Miscellaneous Provisions) Act...

# Protection of Birds Act 1954

67 In section 14(1) of the Protection of Birds Act 1954...

# Rural Water Supplies and Sewerage Act 1955

68 In section 1(1) of the Rural Water Supplies and Sewerage...

# House of Commons Disqualification Act 1957

69 In Part III of Schedule 1 to the House of...

## Highways Act 1959

- 70 (1) In subsection (4) of section 103 of the Highways...
- 71 For section 227(2) of that Act (determination of differences about...

# Land Drainage Act 1961

- 72 (1) In subsection (1) of section 3 of the Land...
- 73 (1) In subsection (1) of section 34 of that Act...
- 74 In section 40(1) of that Act (powers of entry) for...
- 75 In section 43 of that Act (provision by drainage board...

## Public Health Act 1961

76 In paragraph 8 of Schedule 2 to the Public Health...

## Water Resources Act 1963

- 77 (1) In section 16(2) of the Water Resources Act 1963...
- 78 After section 24(9) of that Act (exceptions from general restrictions)...
- 79 At the end of section 38(2) of that Act (reference...

- 80 (1) For subsection (1) of section 60 of that Act...
- 81 (1) In subsection (8)(d) of section 63 of that Act...
- 82 In paragraph (d) of section 79(4) of that Act (byelaws...
- 83 (1) The following provisions of this paragraph shall have effect...
- 84 In section 120 of that Act (service of documents), in...
- 85 In section 135(1) of that Act (interpretation) for the definition...
- 86 In section 135(3) of that Act (definition of "local authority...

#### Harbours Act 1964

87 In section 58 of the Harbours Act 1964 (authorities not...

## New Towns Act 1965

- 88 In section 34 of the New Towns Act 1965 (power...
- 89 For section 40 of that Act (power to transfer sewerage...

## National Insurance (Industrial Injuries) Act 1965

90 (1) In relation to accidents happening to insured persons (within...

# Sea Fisheries Regulation Act 1966

91 In section 18(3) of the Sea Fisheries Regulation Act 1966...

# Countryside Act 1968

92 In section 22 of the Countryside Act 1968 (recreational facilities...

# Agriculture Act 1970

93 In section 98 of the Agriculture Act 1970 (duty of...

# Town and Country Planning Act 1971

94 In section 147(4) of the Town and Country Planning Act...

## Salmon and Freshwater Fisheries Act 1972

- 95 In section 3(2) of the Salmon and Freshwater Fisheries Act...
- 96 In section 9(1) of that Act (production of fishing licences)...
- 97 For paragraph 18 of Schedule 1 to that Act (provisions...

## Local Government Act 1972

In section 223(2) of the Local Government Act 1972 (appearance...

## SCHEDULE 9 — Repeals