



# Water Act 1989

## 1989 CHAPTER 15

### PART I

#### PRELIMINARY

##### *The National Rivers Authority and the advisory committees*

#### **1 The National Rivers Authority**

- (1) There shall be a body corporate to be known as the National Rivers Authority (in this Act referred to as “the Authority”) for the purpose of carrying out the functions assigned or transferred to it under this Act.
- (2) The Authority shall consist of not less than eight nor more than fifteen members of whom—
  - (a) two shall be appointed by the Minister; and
  - (b) the others shall be appointed by the Secretary of State.
- (3) The Secretary of State shall designate one of the members appointed by him as the chairman of the Authority and may, if he thinks fit, designate another member of the Authority (whether or not appointed by him) as the deputy chairman of the Authority.
- (4) In appointing a person to be a member of the Authority, the Secretary of State or, as the case may be, the Minister shall have regard to the desirability of appointing a person who has experience of, and has shown capacity in, some matter relevant to the functions of the Authority.
- (5) The Authority shall not be regarded as the servant or agent of the Crown, or as enjoying any status, immunity or privilege of the Crown, or, by virtue of any connection with the Crown, as exempt from any tax, duty, rate, levy or other charge whatsoever, whether general or local; and the Authority’s property shall not be regarded as property of, or property held on behalf of, the Crown.
- (6) The provisions of Schedule 1 to this Act shall have effect with respect to the Authority and its finances.

## **2 Regional rivers advisory committees**

- (1) It shall be the duty of the Authority—
- (a) to establish and maintain advisory committees, consisting of persons who are not members of the Authority, for the different regions of England and Wales;
  - (b) to consult the advisory committee for any region as to any proposals of the Authority relating generally to the manner in which the Authority carries out its functions in that region; and
  - (c) to consider any representations made to it by the advisory committee for any region (whether in response to consultation under paragraph (b) above or otherwise) as to the manner in which the Authority carries out its functions in that region.
- (2) The duty to establish and maintain advisory committees imposed by subsection (1) above is a duty—
- (a) to establish and maintain an advisory committee for each area which the Authority considers it appropriate for the time being to regard as a region of England and Wales for the purposes of this section; and
  - (b) to ensure that the persons appointed by the Authority to each such committee are persons who appear to the Authority to have an interest in matters likely to be affected by the manner in which the Authority carries out any of its functions in the region in question;
- and it shall be the duty of the Authority in determining the regions for which advisory committees are established and maintained to ensure that one of those regions consists wholly or mainly of, or of most of, Wales.
- (3) There shall be paid by the Authority—
- (a) to the chairman of an advisory committee established and maintained under this section such remuneration and such travelling and other allowances; and
  - (b) to any other members of that committee such sums reimbursing them for loss of remuneration, for travelling expenses or for any other out-of-pocket expenses,
- as may, with the consent of the Treasury, be determined by the Secretary of State.
- (4) For the purposes of this section functions of the Authority which are carried out in any area of Scotland or of the territorial sea which is adjacent to any region for which an advisory committee is maintained shall be regarded as carried out in that region.

## **3 Advisory Committee for Wales**

- (1) The Secretary of State shall establish and maintain a committee for advising him with respect to matters affecting or otherwise connected with the carrying out in Wales of the Authority's functions by virtue of this Act.
- (2) The committee established and maintained under this section—
- (a) shall consist of such persons as may be appointed by the Secretary of State; and
  - (b) shall meet at least once a year.
- (3) The Secretary of State shall, out of money provided by Parliament, pay to the members of the committee established and maintained under this section such sums reimbursing them for loss of remuneration, for travelling expenses and for other out-of-pocket expenses as he may with the consent of the Treasury determine.