



# Water Resources Act 1991

## 1991 CHAPTER 57

### PART VI

#### FINANCIAL PROVISIONS IN RELATION TO THE [F<sup>1</sup>AGENCY]

#### CHAPTER II

#### REVENUE PROVISIONS

##### *Navigation tolls*

#### **143 Power of Authority to levy navigation tolls.**

- (1) Where any navigable waters—
  - (a) in England and Wales; or
  - (b) in so much of the territorial sea adjacent to England and Wales as is included in the area of a regional flood defence committee,are not subject to the control of any navigation authority, harbour authority or conservancy authority, the [F<sup>1</sup>Agency] may apply to the Secretary of State for an order imposing tolls in respect of the navigation of vessels in those waters.
- (2) An order under this section shall not be made unless the Secretary of State is satisfied that the cost of the maintenance or works in connection with the waters to which the order relates has been or will be increased as a result of the use of those waters for purposes of navigation.
- (3) Schedule 17 to this Act shall have effect with respect to the making of orders under this section.
- (4) Any tolls payable under this section in respect of the navigation of a vessel in any water referred to in subsection (1) above—
  - (a) may be demanded from the person in charge of the vessel by any person authorised for that purpose by the [F<sup>1</sup>Agency]; and

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*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Water Resources Act 1991. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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- (b) if not paid on demand, may be recovered from either the person in charge of the vessel or the owner of the vessel.

**Annotations:**

**Amendments (Textual)**

- F1** Words in s. 143 substituted (subject to other provisions of the amending Act) (1.4.1996) by 1995 c. 25, s. 120, **Sch. 22 para. 128** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**

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

- C1** S. 143 modified (01.12.1991) by Land Drainage Act 1991 (c. 59, SIF 73:1), **ss. 56(1)**, 76(2).  
**C2** S. 143(4) modified (01.12.1991) by Land Drainage Act 1991 (c. 59, SIF 73:1), **ss. 56(2)**, 76(2).

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**Changes and effects yet to be applied to :**

- s. 120-143 words substituted by S.I. 2013/755 Sch. 2 para. 276
- s. 143(1)(b) words substituted by 2014 c. 21 Sch. 10 para. 10

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied by S.I. 2010/497 Sch. 3 para. 4(2)
- Act applied (with modifications) by S.I. 2005/421 Sch. 3 para. 5(2)
- Act applied (with modifications) by S.I. 2015/770 Sch. 3 para. 5(2)
- Act power to amend conferred by 2010 c. 29 s. 28
- Act power to apply conferred by 2010 c. 29 s. 38(8)-(10)
- Act power to apply conferred by 2010 c. 29 s. 39(12)-(14)
- Blanket amendment words substituted by S.I. 2011/1043 art. 3 4
- Blanket amendment words substituted by S.I. 2011/1043 art. 3 6

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 20A inserted by 2003 c. 37 s. 28
- s. 20A words substituted by S.I. 2013/755 Sch. 2 para. 266(2)
- s. 20A(1) words inserted by S.I. 2013/755 Sch. 2 para. 266(3)
- s. 20B inserted by 2003 c. 37 s. 29(1)
- s. 20B words substituted by S.I. 2013/755 Sch. 2 para. 267
- s. 20C inserted by 2003 c. 37 s. 31(1)
- s. 20C words substituted by S.I. 2013/755 Sch. 2 para. 268(2)
- s. 20C(1) words inserted by S.I. 2013/755 Sch. 2 para. 268(3)
- s. 21(3)(za)(zb) inserted by S.I. 2013/755 Sch. 2 para. 269(3)(a)
- s. 21(10) added by 2003 c. 37 s. 8(2)(b)
- s. 24A inserted by 2003 c. 37 s. 1(1)
- s. 25(1) (1A) substituted for s. 25(1) by 2003 c. 37 s. 2(2)
- s. 25(1A)(a) words substituted by S.I. 2013/755 Sch. 2 para. 270(b)
- s. 25(9) added by 2003 c. 37 s. 2(5)
- s. 25A excluded by S.I. 2006/641 reg. 26
- s. 25A-25C inserted by 2003 c. 37 s. 30
- s. 25A words substituted by S.I. 2013/755 Sch. 2 para. 270(c)
- s. 25A(5)-(9) applied (with modifications) by 2003 c. 37 s. 4(3)(a)
- s. 25B excluded by S.I. 2006/641 reg. 26
- s. 25C excluded by S.I. 2006/641 reg. 26
- s. 25C words substituted by S.I. 2013/755 Sch. 2 para. 270(d)
- s. 25C(2) words substituted by S.I. 2015/664 Sch. 4 para. 24(4)
- s. 27 27A substituted for s. 27 by 2003 c. 37 s. 6(1)
- s. 27A words substituted by S.I. 2013/755 Sch. 2 para. 270(e)
- s. 29(1A) inserted by 2003 c. 37 s. 7(2)
- s. 29(2)-(2C) substituted for s. 29(2) by 2003 c. 37 s. 7(3)
- s. 33A inserted by 2003 c. 37 s. 9
- s. 33A-45 words substituted by S.I. 2013/755 Sch. 2 para. 270(g)
- s. 35(2)(3)(3A) substituted for s. 35(2)(3) by 2003 c. 37 s. 11(2)
- s. 36A excluded by S.I. 2006/641 Sch. 2 para. 8(2)
- s. 36A inserted by 2003 c. 37 s. 13(1)
- s. 37A inserted by 2003 c. 37 s. 14(2)
- s. 38(1A)-(1C) inserted by 2003 c. 37 s. 15(2)
- s. 38(4) added by 2003 c. 37 s. 14(3)(a)(ii)
- s. 39(1A) inserted by 2003 c. 37 s. 16(3)

- s. 39A inserted by 2003 c. 37 s. 17(1)
- s. 39B inserted by 2003 c. 37 s. 18
- s. 41(3) added by 2003 c. 37 s. 13(2)
- s. 42(4A) inserted by 2003 c. 37 s. 16(6)(b)
- s. 44(4A) inserted by 2003 c. 37 s. 16(7)(b)
- s. 45(2A) inserted by 2003 c. 37 s. 13(3)(b)
- s. 46(2A) inserted by 2003 c. 37 s. 19(3)
- s. 46(4) s. 46(5) (5A) substituted for s. 46(4)(5) by 2003 c. 37 s. 19(4)
- s. 46A applied (with modifications) by S.I. 2006/641 reg. 17
- s. 46A inserted by 2003 c. 37 s. 20
- s. 46A(2) words substituted by S.I. 2013/755 Sch. 2 para. 270(h)
- s. 48A inserted by 2003 c. 37 s. 24(1)
- s. 48A(1) applied by S.I. 2017/1329 art. 20(5)
- s. 48A(1) excluded by 2008 c. 18 s. 46(1)
- s. 48A(1) excluded by 2017 c. 7 Sch. 21 para. 3(1)
- s. 48A(1) excluded by S.I. 2013/1967 art. 40(2)
- s. 48A(1) excluded by S.I. 2014/3102 art. 17(2)
- s. 48A(1) excluded by S.I. 2015/2044 art. 36(2)
- s. 48A(1) excluded by S.I. 2017/1329 art. 20(3)
- s. 48A(5) excluded by 2008 c. 18 s. 46(4)
- s. 48A(5) excluded by S.I. 2013/1967 art. 40(5)
- s. 48A(5) excluded by S.I. 2014/3102 art. 17(5)
- s. 48A(5) excluded by S.I. 2017/1329 art. 20(6)
- s. 48A(5) restricted by 2017 c. 7 Sch. 21 para. 3(4)
- s. 51(1A)-(1G) inserted by 2003 c. 37 s. 21(3)
- s. 51(2A) inserted by 2003 c. 37 Sch. 7 para. 4
- s. 52(1A) inserted by 2003 c. 37 s. 22(2)
- s. 59A applied (with modifications) by S.I. 2006/641 reg. 21
- s. 59A-59D and cross-heading inserted by 2003 c. 37 s. 23(1)
- s. 59A-59C words substituted by S.I. 2013/755 Sch. 2 para. 270(j)
- s. 59C applied (with modifications) by S.I. 2006/641 reg. 22
- s. 61(4A) (4B) inserted by 2003 c. 37 s. 25(3)
- s. 61A inserted by 2003 c. 37 s. 26
- s. 67(8)(b)(i) words inserted by 2003 c. 37 s. 2(8)
- s. 72(2A) inserted by 2008 c. 17 Sch. 8 para. 60(3)
- s. 72(2A) words inserted by 2011 c. 20 Sch. 19 para. 30
- s. 79(4) (5) added by 2003 c. 37 s. 64(2)
- s. 79A(8A) (8B) inserted by 2003 c. 37 s. 64(3)(b)
- s. 84(2)(aa) inserted by S.I. 2013/755 Sch. 2 para. 273(3)(c)
- s. 85(7) inserted by S.I. 2007/3538 Sch. 21 para. 21(3)
- s. 85(7) substituted by S.I. 2009/1799 Sch. 2 para. 2
- s. 91(9) inserted by S.I. 2007/3538 Sch. 21 para. 21(5)
- s. 93(1A) inserted by S.I. 2009/3104 reg. 3(3)
- s. 93(2A)-(2C) inserted by S.I. 2009/3104 reg. 3(5)
- s. 93(4A) inserted by S.I. 2009/3104 reg. 3(10)
- s. 93(5)-(7) substituted for s. 93(5) by S.I. 2009/3104 reg. 3(11)
- s. 109(7) (8) inserted by 2009 c. 23 s. 82(2)
- s. 114(2)(a)(v) words substituted by 2003 c. 37 s. 8(7)
- s. 116(1) s. 116 renumbered as s. 116(1) by 2009 c. 23 Sch. 16 para. 22(a)
- s. 116(2) inserted by 2009 c. 23 Sch. 16 para. 22(b)
- s. 118(1)(c) inserted by S.I. 2013/755 Sch. 2 para. 275(2)(e)
- s. 118(7) added by 2010 c. 29 Sch. 2 para. 43(8)
- s. 118(7) words inserted by 2016 anaw 3 Sch. 2 para. 20(2)(a)
- s. 118(7) words inserted by 2016 anaw 3 Sch. 2 para. 20(2)(b)
- s. 154(7)(8) inserted by S.I. 2013/755 Sch. 2 para. 278(6)
- s. 157(7) inserted by S.I. 2013/755 Sch. 2 para. 281(4)
- s. 159(1A) inserted by 2010 c. 29 Sch. 2 para. 45
- s. 160(1A) inserted by 2010 c. 29 Sch. 2 para. 46

- s. 161-161AB and cross-heading substituted for s. 161 161A by S.I. 2009/3104 reg. 5
- s. 161AB(1) words substituted by S.I. 2010/675 Sch. 26 Pt. 1 para. 8(8)(b)
- s. 161AB(4) repealed by S.I. 2010/675 Sch. 26 Pt. 1 para. 8(2)(n) Sch. 28
- s. 161ZC(1) words substituted by S.I. 2010/675 Sch. 26 Pt. 1 para. 8(8)(a)
- s. 161ZC(5) repealed by S.I. 2010/675 Sch. 26 Pt. 1 para. 8(2)(m) Sch. 28
- s. 165(1)-(1D) substituted for s. 165(1) by 2010 c. 29 Sch. 2 para. 47(2)
- s. 165(1A) words substituted by S.I. 2013/755 Sch. 2 para. 284(2)
- s. 167A inserted by S.I. 2013/755 Sch. 2 para. 287
- s. 167A(3)(a) repealed by S.I. 2016/475 reg. 30
- s. 168(9) inserted by S.I. 2013/755 Sch. 2 para. 288(3)
- s. 169(3A)(3B) inserted by S.I. 2013/755 Sch. 2 para. 289(4)
- s. 169(5) inserted by S.I. 2013/755 Sch. 2 para. 289(6)
- s. 171(6) inserted by S.I. 2013/755 Sch. 2 para. 291(5)
- s. 172(5) inserted by S.I. 2013/755 Sch. 2 para. 292(6)
- s. 186(1A) inserted by S.I. 2013/755 Sch. 2 para. 297(3)
- s. 191B(6)-(6B) substituted for s. 191B(6) by S.I. 2010/675 Sch. 26 Pt. 1 para. 8(9)
- s. 193-194E and cross-heading substituted for s. 193 194 by 2014 c. 21 s. 59(2)
- s. 199(2)(2A)(3) substituted for s. 199(2)(3) by 2003 c. 37 s. 8(5)(a)
- s. 199A inserted by 2003 c. 37 s. 8(6)
- s. 203(1A) inserted by 2003 c. 37 Sch. 8 para. 53(2)(a)
- s. 203(1A) words substituted by 2014 c. 21 Sch. 7 para. 125(2)(a)
- s. 203(1A) words substituted by 2014 c. 21 Sch. 7 para. 125(2)(b)
- s. 203(1A) words substituted by 2014 c. 21 Sch. 7 para. 125(2)(c)
- s. 203(2A) inserted by 2003 c. 37 Sch. 8 para. 53(2)(b)
- s. 203(2A) word substituted by 2014 c. 21 Sch. 7 para. 125(3)(b)
- s. 203(2A) words substituted by 2014 c. 21 Sch. 7 para. 125(3)(a)
- s. 203(5)(b) words substituted by 2014 c. 21 Sch. 7 para. 125(6)
- s. 203(8) inserted by 2003 c. 37 Sch. 8 para. 53(2)(f)
- s. 203(8) words substituted by 2014 c. 21 Sch. 7 para. 125(7)(a)
- s. 203(8) words substituted by 2014 c. 21 Sch. 7 para. 125(7)(b)
- s. 204(2)(ca) inserted by 2010 c. 29 Sch. 2 para. 48
- s. 204(2)(ga) inserted by 2013 c. 32 Sch. 12 para. 65
- s. 204(3)(a)(ib) inserted by S.I. 2013/755 Sch. 2 para. 300(3)
- s. 204(8) inserted by S.I. 2017/80 Sch. para. 6
- s. 210(3) inserted by 2009 c. 23 s. 225(1)
- s. 211(3)(a) (b) substituted for words by 2009 c. 23 s. 226
- s. 211(3)(b) words substituted by S.I. 2015/664 Sch. 4 para. 24(6)
- s. 221(1)(a)(ii) words repealed by 2003 c. 37 s. 69(4) Sch. 9 Pt. 3
- s. 221(1)(b) word inserted by 2014 c. 21 Sch. 10 para. 13(a)
- s. 221(1)(b)(iii) and word repealed by 2014 c. 21 Sch. 10 para. 13(b)
- s. 221(1A) inserted by S.I. 2013/755 Sch. 2 para. 304(10)
- s. 222(11) added by 2003 c. 37 Sch. 7 para. 13
- Sch. 2 para. 8(3)-(5) inserted by S.I. 2003/2867 Sch. para. 17
- Sch. 6 para. 1(6)(ba) inserted by 2015 anaw 4 Sch. 2 para. 16(b)
- Sch. 8 para. 2(7) added by 2003 c. 37 s. 65
- Sch. 8 para. 2(7) words inserted by S.I. 2013/755 Sch. 2 para. 310(3)(a)
- Sch. 8 para. 2(7) words inserted by S.I. 2013/755 Sch. 2 para. 310(3)(b)
- Sch. 10 para. 11(6)-(6C) substituted for Sch. 10 para. 11(6) by 2003 c. 37 s. 87(5)
- Sch. 25 para. 5(3A) (3B) inserted by 2009 c. 23 s. 84(2)
- Sch. 25 para. 6(1A) inserted by 2009 c. 23 s. 224(3)
- Sch. 25 para. 6(2)(aa) inserted by 2009 c. 23 s. 224(4)
- Sch. 25 para. 6(5A) (5B) inserted by 2009 c. 23 s. 224(9)
- Sch. 25 para. 5(1A)-(1D) and words substituted for Sch. 25 para. 5(1)(a)(b) by 2010 c. 29 Sch. 2 para. 49
- Sch. 25 para. 5(4)(a)-(c) substituted for words by 2009 c. 23 Sch. 11 para. 3
- Sch. 27 inserted by 2009 c. 23 s. 225(2)
- Sch. 27 para. 1 words substituted by S.I. 2013/755 Sch. 2 para. 315(d)

- Sch. 27 para. 3-5 words substituted by S.I. 2013/755 Sch. 2 para. 315(d)
- Sch. 27 para. 7-9 words substituted by S.I. 2013/755 Sch. 2 para. 315(d)

### **Commencement Orders yet to be applied to the Water Resources Act 1991**

Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2003/766 art. 2 Sch. commences (2002 c. 40)
- S.I. 2003/1397 art. 2(1) Sch. commences (2002 c. 40)
- S.I. 2003/1725 art. 2(1) commences (2002 c. 9)
- S.I. 2003/1900 art. 2 Sch. 1 2 commences (2003 c. 21)
- S.I. 2003/2681 art. 2 commences (2003 c. 20)
- S.I. 2003/3142 art. 2-4 Sch. 1 2 commences (2003 c. 21)
- S.I. 2004/641 art. 2-5 commences (2003 c. 37)
- S.I. 2004/827 art. 2-4 commences (2003 c. 20)
- S.I. 2004/910 art. 2 commences (2003 c. 37)
- S.I. 2004/2184 art. 2 commences (2004 c. 20)
- S.I. 2004/2304 art. 2 commences (2004 c. 21)
- S.I. 2004/2528 art. 2-3 commences (2003 c. 37)
- S.I. 2004/2916 art. 2 commences (2003 c. 37)
- S.I. 2004/2917 art. 2 commences (2004 c. 21)
- S.I. 2005/968 art. 2 3 commences (2003 c. 37)
- S.I. 2005/1444 art. 2 commences (2005 c. 14)
- S.I. 2005/2714 art. 2-4 commences (2003 c. 37)
- S.I. 2006/984 art. 2 commences (2003 c. 37)
- S.I. 2006/2541 art. 2 commences (2006 c. 16)
- S.I. 2008/3068 art. 2-5 commences (2008 c. 17)
- S.I. 2009/1604 art. 2 commences (2005 c. 4)
- S.I. 2009/3345 art. 2 Sch. commences (2009 c. 23)
- S.I. 2010/298 art. 2 Sch. commences (2009 c. 23)
- S.I. 2010/862 art. 2 3 commences (2008 c. 17)
- S.I. 2010/2169 art. 4 Sch. commences (2010 c. 29)
- S.I. 2011/95 art. 2 commences (2010 c. 29)
- S.I. 2011/556 art. 1-3 commences (2009 c. 23)
- S.I. 2011/694 art. 3 4 commences (2010 c. 29)
- S.I. 2011/1770 art. 3 commences (2010 c. 29)
- S.I. 2011/2204 art. 3 4 commences (2010 c. 29)
- S.I. 2011/2329 art. 2 3 commences (2011 c. 5)
- S.I. 2011/2856 art. 3 Commencement Order
- 2006 No. 2 Instrument made by Archbishops commences (2006 No. 1)