Water Resources Act 1991

1991 CHAPTER 57

PART VII

LAND AND WORKS POWERS

CHAPTER I

POWERS OF THE [F1APPROPRIATE AGENCY]

Provisions in relation to land

156 Acquisition of land etc. for fisheries purposes.

(1) [F1Without prejudice to section 37 of the 1995 Act (incidental general powers of the Agency)][F2or article 9 of the Natural Resources Body for Wales (Establishment) Order 2012 (general incidental function of the Body) (S.I.2012/1903)], the powers conferred on the Agency [F3or, as the case may be, the NRBW,] by [F4those provisions] and section 154 above include power to purchase or take on lease (either by agreement or, if so authorised, compulsorily)—

(a) any dam, fishing weir, fishing mill dam, fixed engine or other artificial obstruction and any fishery attached to or worked in connection with any such obstruction;

(b) so much of the bank adjoining a dam as may be necessary for making or maintaining a fish pass for the purposes of section 10 of the [M1]Salmon and Freshwater Fisheries Act 1975; and

(c) for the purpose of erecting and working a fixed engine, any fishery land or foreshore together with any easement over any adjoining land necessary for securing access to the fishery land or foreshore so acquired.

(2) [F1Without prejudice to section 37 of the 1995 Act (incidental general powers of the Agency)][F5or article 9 of the Natural Resources Body for Wales (Establishment)

Order 2012 (general incidental function of the Body) (S.I.2012/1903)**]**, the Agency **[**[F6]or, as the case may be, the NRBW,**]** may—

(a) either alter or remove an obstruction acquired in the exercise of the powers mentioned in subsection (1) above; or

(b) by itself or its lessees use or work in any lawful manner the obstruction for fishing purposes and exercise the right by any fishery so acquired,

subject, in the case of an obstruction or fishery acquired by way of lease, to the terms of the lease.

(3) Expressions used in this section and in the Salmon and Freshwater Fisheries Act 1975 have the same meanings in this section as in that Act.

Textual Amendments

F1 Words in s. 156(1)(2) substituted (1.4.1996) by 1995 c. 25, s. 120, **Sch. 22 para. 158** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**

F2 Words in s. 156(1) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 280(2)(a)** (with Sch. 7)

F3 Words in s. 156(1) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 280(2)(b)** (with Sch. 7)

F4 Words in s. 156(1) substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 280(2)(c)** (with Sch. 7)

F5 Words in s. 156(2) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 280(3)(a)** (with Sch. 7)

F6 Words in s. 156(2) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 280(3)(b)** (with Sch. 7)

Marginal Citations

M1 1975 c. 51.

Changes to legislation:
There are currently no known outstanding effects for the Water Resources Act 1991, Section 156.