



# Water Resources Act 1991

## 1991 CHAPTER 57

### PART VII

#### LAND AND WORKS POWERS

### CHAPTER II

#### POWERS OF ENTRY

#### **172 Powers of entry for other purposes.**

- (1) Any person designated in writing for the purpose by either of the Ministers<sup>[F1]</sup>, by the Agency, or by the NRBW] may enter any premises or vessel for the purpose of—
  - (a) determining whether, and if so in what manner, any power or duty conferred or imposed on either of the Ministers<sup>[F2]</sup>, on the Agency, or on the NRBW,] by virtue of any enactment to which this section applies (including a power of either or both of the Ministers to make subordinate legislation) should be exercised or, as the case may be, performed; or
  - (b) exercising or performing any power or duty which is so conferred or imposed.
- (2) Any person designated in writing for the purpose by either of the Ministers<sup>[F3]</sup>, the Agency, or the NRBW,] may—
  - (a) carry out such inspections, measurements and tests on any premises or vessel entered by that person under this section or of any articles found on any such premises or vessel; and
  - (b) take away such samples of water or effluent or of any land or articles, as that Minister <sup>[F3]</sup>, the Agency, or the NRBW,] considers appropriate for any purpose mentioned in subsection (1) above and has authorised that person to carry out or take away.
- (3) <sup>[F4]</sup>Subject to subsection (3A) below,]the powers which by virtue of subsections (1) and (2) above are conferred in relation to any premises for the purpose of enabling either of the Ministers<sup>[F5]</sup>, the Agency, or the NRBW,] to determine whether or in what

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*Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Section 172. (See end of Document for details)*

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manner to exercise or perform any power or duty conferred or imposed on him or it by or under the water pollution provisions of this Act shall include power, in order to obtain the information on which that determination may be made—

- (a) to carry out experimental borings or other works on those premises; and
- (b) to install and keep monitoring and other apparatus there.

[<sup>F6</sup>(3A) The powers conferred by this section shall not have effect for the purposes of any of the Agency's [<sup>F7</sup>or the NRBW's] pollution control functions, within the meaning of section 108 of the 1995 Act.]

(4) This section applies to any enactment contained in this Act and to any other enactment under or for the purposes of which the Agency [<sup>F8</sup>or the NRBW] carries out functions.

[<sup>F9</sup>(5) In relation to the NRBW, the reference to functions in subsection (4) has effect as a reference to relevant transferred functions.]

#### Textual Amendments

- F1** Words in s. 172(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. 292\(2\)\(a\)](#) (with Sch. 7)
- F2** Words in s. 172(1)(a) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\), art. 1\(2\), Sch. 2 para. 292\(2\)\(b\)](#) (with Sch. 7)
- F3** Words in s. 172(2) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\), art. 1\(2\), Sch. 2 para. 292\(3\)](#) (with Sch. 7)
- F4** Words in s. 172(3) inserted (1.4.1996) by 1995 c. 25, s. 120, [Sch. 22 para. 166](#) (with ss. 7(6), 115, 117); S.I. 1996/186, [art. 3](#)
- F5** Words in s. 172(3) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\), art. 1\(2\), Sch. 2 para. 292\(3\)](#) (with Sch. 7)
- F6** S. 172(3A) added (1.4.1996) by 1995 c. 25, s. 120, [Sch. 22 para. 166](#) (with ss. 7(6), 115, 117); S.I. 1996/186, [art. 3](#)
- F7** Words in s. 172(3A) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\), art. 1\(2\), Sch. 2 para. 292\(4\)](#) (with Sch. 7)
- F8** Words in s. 172(4) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\), art. 1\(2\), Sch. 2 para. 292\(5\)](#) (with Sch. 7)
- F9** S. 172(5) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\), art. 1\(2\), Sch. 2 para. 292\(6\)](#) (with Sch. 7)

**Changes to legislation:**

There are currently no known outstanding effects for the Water Resources Act 1991, Section 172.