



# Water Resources Act 1991

## 1991 CHAPTER 57

### PART II

#### WATER RESOURCES MANAGEMENT

### CHAPTER II

#### ABSTRACTION AND IMPOUNDING

##### *Call-in of applications*

#### **41 Secretary of State's power to call in applications**

- (1) The Secretary of State may give directions to the [<sup>F1</sup>appropriate agency] requiring applications for licences under this Chapter to be referred to him, instead of being dealt with by the [<sup>F1</sup>appropriate agency].
- (2) A direction under this section—
  - (a) may relate either to a particular application or to applications of a class specified in the direction; and
  - (b) may except from the operation of the direction such classes of applications as may be specified in the direction in such circumstances as may be so specified.
- [<sup>F2</sup>(3) An application may not be referred to the Secretary of State under this section—
  - (a) if in relation to the application the [<sup>F1</sup>appropriate agency] is still considering whether to make any such decision as is referred to in subsection (1) of section 36A above, or if it has made such a decision but has not yet served the notice referred to in subsection (3) of that section; or
  - (b) where the [<sup>F1</sup>appropriate agency] has served a notice on the applicant under subsection (3) of that section, until the period for appealing under that section has expired or (if the applicant appeals) the appeal has been determined.]

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**Changes to legislation:** There are currently no known outstanding effects for the Water Resources Act 1991, Section 41. (See end of Document for details)

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**Textual Amendments**

- F1** Words in ss. 33A-45 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 270(g)** (with Sch. 7)
- F2** S. 41(3) added (1.4.2006) by [Water Act 2003 \(c. 37\)](#), **ss. 13(2)**, 105(3); S.I. 2006/984, art. 2(h) (with [Sch. para. 7](#))

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

- C1** S. 41 applied (1.4.2006) by [Water Resources \(Abstraction and Impounding\) Regulations 2006 \(S.I. 2006/641\)](#), reg. 1(2), **Sch. 2 para. 8(5)**

**Changes to legislation:**

There are currently no known outstanding effects for the Water Resources Act 1991, Section 41.