



# Water Resources Act 1991

## 1991 CHAPTER 57

### PART II

#### WATER RESOURCES MANAGEMENT

#### CHAPTER III

#### DROUGHT

#### 73 Power to make ordinary and emergency drought orders.

[<sup>F1</sup>(1) If the Secretary of State is satisfied that, by reason of an exceptional shortage of rain, there exists or is threatened—

- (a) a serious deficiency of supplies of water in any area, or
- (b) such a deficiency in the flow or level of water in any inland waters as to pose a serious threat to any of the flora or fauna which are dependent on those waters,

then,] subject to the following provisions of this Chapter, he may by order (in this Chapter referred to as an “ordinary drought order”) make such provision authorised by this Chapter as appears to him to be expedient with a view to meeting the deficiency.

(2) If the Secretary of State—

- (a) is satisfied that, by reason of an exceptional shortage of rain, a serious deficiency of supplies of water in any area exists or is threatened; and
- (b) is further satisfied that the deficiency is such as to be likely to impair the economic or social well-being of persons in the area,

then, subject to the following provisions of this Chapter, he may by order (in this Chapter referred to as an “emergency drought order”) make such provision authorised by this Chapter as appears to him to be expedient with a view to meeting the deficiency.

(3) Subject to section 76(3) below, the power to make a drought order in relation to any area shall not be exercisable [<sup>F2</sup>unless] an application is made to the Secretary of State—

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*Status: Point in time view as at 21/09/1995. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Section 73. (See end of Document for details)*

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- (a) by the Authority; or
  - (b) [<sup>F3</sup>except in the case of an ordinary drought order by virtue of subsection (1) (b) above,]by a water undertaker which supplies water to premises in that area.
- (4) The power to make a drought order shall be exercisable by statutory instrument; and Schedule 8 to this Act shall have effect with respect to the procedure on an application for such an order.

#### Textual Amendments

- F1** Words in s. 73(1) substituted (21.9.1995) by 1995 c. 25, s. 120(1), **Sch. 22 para. 139(2)** (with ss. 7(6), 115, 117); S.I. 1995/1983, **art. 3**
- F2** Words in s. 73 substituted (21.9.1995) by 1995 c. 25, s. 120(1), **Sch. 22 para. 139(3)(a)** (with ss. 7(6), 115, 117); S.I. 1995/1983, **art. 3**
- F3** Words in s. 73 inserted (21.9.1995) by 1995 c. 25, s. 120(1), **Sch. 22 para. 139(3)(b)** (with ss. 7(6), 115, 117); S.I. 1995/1983, **art. 3**

**Status:**

Point in time view as at 21/09/1995. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Water Resources Act 1991, Section 73.