



# Water Resources Act 1991

## 1991 CHAPTER 57

### PART II

#### WATER RESOURCES MANAGEMENT

### CHAPTER III

#### DROUGHT

#### **79 Compensation and charges where drought order made.**

- (1) Schedule 9 to this Act shall have effect with respect to the payment of compensation where a drought order has been made.
- (2) Except as provided by Schedule 9 to this Act, neither the [<sup>F1</sup>appropriate agency] nor any water undertaker or sewerage undertaker shall incur any liability to any person for loss or damage sustained by reason of anything done in pursuance of any drought order or of any omission in pursuance of such an order.
- (3) Nothing in any drought order shall affect the right of the [<sup>F1</sup>appropriate agency], a water undertaker or a sewerage undertaker, in the event of an interruption or diminution of the supply of water, to recover any fixed or minimum charge which might have been recovered from any person by the [<sup>F1</sup>appropriate agency] or that undertaker if there had been no such interruption or diminution.
- [<sup>F2</sup>(4) Where a water undertaker makes an application for a drought order, the [<sup>F1</sup>appropriate agency] may recover from the water undertaker any expenses it incurs (whether of a revenue or capital nature)—
  - (a) in connection with any local inquiry held in respect of the application;
  - (b) in the exercise of the [<sup>F1</sup>appropriate agency's] functions so far as their exercise is attributable to the application and (if the order is made) to the order,in so far as those expenses have not been recovered (whether from the water undertaker or not) under or by virtue of any other enactment.

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*Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Section 79. (See end of Document for details)*

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(5) Sections 125 to 129 below shall not apply in respect of any charges which may be made under subsection (4) above.]

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**Textual Amendments**

- F1** Words in *ss. 77-79* 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(o)** (with Sch. 7)
- F2** S. 79(4)(5) added (1.4.2004) by [Water Act 2003 \(c. 37\)](#), **ss. 64(2)**, 105(3); S.I. 2004/641, art. 3(o) (with Sch. 3 para. 7)

**Changes to legislation:**

There are currently no known outstanding effects for the Water Resources Act 1991, Section 79.