
Changes to legislation: There are currently no known outstanding effects for the Water Consolidation (Consequential Provisions) Act 1991, Paragraph 1. (See end of Document for details)

SCHEDULES

SCHEDULE 2

TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

Modifications etc. (not altering text)

- C1** Sch. 2: power to modify conferred (1.12.1991) by [Water Industry Act 1991 \(c. 56, SIF 130\)](#), **ss. 74(6), 223(2)** (with s. 219(3))

PART I

GENERAL TRANSITIONAL PROVISIONS AND SAVINGS

Principal transitional provision

- 1 (1) Subject to Part II of this Schedule, any subordinate legislation, application or appointment made, consent or approval given, licence or certificate issued or other thing done under or for the purposes of any enactment repealed by this Act, and anything which has effect as something so made, given, issued or done, shall have effect, so far as necessary for the purposes specified in sub-paragraph (2) below, as made, given, issued or done under the corresponding provision of the consolidation Acts.
- (2) The purposes mentioned in sub-paragraph (1) above are—
- (a) the purpose of preserving and continuing the validity and effect after commencement of anything which has been made, given, issued or otherwise done under or for the purposes of any enactment repealed by this Act, and of anything so far as it is treated as a thing so made, given, issued or done; and
 - (b) the purpose of including references to things which have been so made, given, issued or done before commencement, or which are treated as if they were, in references in the consolidation Acts, in any other enactment and in any subordinate legislation or document to things made, given, issued or otherwise done under or for the purposes of any provision of the consolidation Acts.
- (3) Subject to sub-paragraphs (1) and (2) above, a reference in any Act or in any subordinate legislation or document to any enactment repealed by this Act shall have effect after commencement as a reference to the corresponding enactment contained in the consolidation Acts.
- (4) Without prejudice to the preceding provisions of this paragraph, where—
- (a) by virtue of any enactment repealed by this Act, any subordinate legislation, consent, licence, document or other thing has effect immediately before

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commencement subject to modifications specified or described in that enactment; and

- (b) with those modifications that subordinate legislation, consent, licence, document or other thing would continue, in accordance with sub-paragraphs (1) and (2) above, to have effect after commencement as something made, given, issued or done under or for the purposes of any provision of the consolidation Acts,

then, notwithstanding the repeal, the modifications shall continue to have effect, and those sub-paragraphs shall have effect in relation to that subordinate legislation, consent, licence, document or other thing accordingly.

- (5) Without prejudice to the preceding provisions of this paragraph, anything which immediately before commencement is treated for the purposes of an enactment repealed by this Act as done by or in relation to a particular person shall continue to be treated as done by or in relation to that person for the purposes of the corresponding provisions of the consolidation Acts, and sub-paragraphs (1) and (2) above shall have effect accordingly.

- (6) The repeal by this Act of any provision which authorised any instrument under an enactment repealed by this Act to be made without—

- (a) such consultation; or
 (b) such compliance with any other requirements,

as would be required in respect of an instrument under the corresponding provision of the consolidation Acts shall not prevent any instrument which in pursuance of that provision has been so made from having effect, in accordance with sub-paragraphs (1) and (2) above, as if made under that corresponding provision.

- (7) Where—

- (a) any period of time is specified in any enactment repealed by this Act to which a provision of the consolidation Acts corresponds; and
 (b) that period is current for the purposes of that enactment at commencement, so much of the period as has expired before commencement shall be taken into account, in relation to anything which is treated by virtue of this Schedule as done under that provision, as if that provision had been in force when the period began to run.

- (8) References in this paragraph to an enactment repealed by this Act include references to any provision of subordinate legislation which is revoked by this Act.

Modifications etc. (not altering text)

- C1** Sch. 2 para. 1 saved (1.12.1991) by [Land Drainage Act 1991 \(c. 59, SIF 73:1\)](#), **ss. 67(7), 76(2)**
C2 Sch. 2 para. 1(1) modified (1.12.1991) by [Water Resources Act 1991 \(c. 57, SIF 130\)](#), **ss. 221(8), 225(2)**

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