



Water Act 2003

2003 CHAPTER 37

PART 1

ABSTRACTION AND IMPOUNDING

Form, contents and effect of licences

19 Form, contents and effect of licences

- (1) Section 46 of the WRA (form and contents of licences) is amended as provided in subsections (2) to (5).
- (2) In subsection (2), for the words before paragraph (a) there is substituted “Every full licence under this Chapter shall, and any other licence under this Chapter to abstract water may, make—”.
- (3) After subsection (2) there is inserted—
 - “(2A) For the purposes of section 61(4A) below—
 - (a) every full licence under this Chapter which is for a term exceeding twelve years shall; and
 - (b) any transfer licence under this Chapter which is for a term exceeding twelve years may,specify a minimum value for the quantity referred to in subsection (2)(a) above.”
- (4) For subsections (4) and (5) there is substituted—
 - “(4) Every licence under this Chapter to abstract water shall also specify the purposes for which water abstracted in pursuance of the licence is to be used.
- (5) Every licence under this Chapter to abstract water shall state—
 - (a) the date on which it takes effect; and
 - (b) the date on which it expires.

Status: This is the original version (as it was originally enacted).

(5A) Every licence under this Chapter to obstruct or impede any inland waters shall remain in force until revoked.”

(5) In subsection (7), for “or by different means” there is substituted “, by different means or for different purposes”.

(6) In section 47 of the WRA (holders of licence), in subsection (1), the words “to abstract water” are omitted.

20 Limited extension of abstraction licence validity

After section 46 of the WRA there is inserted—

“46A Limited extension of abstraction licence validity

- (1) If the condition in subsection (2) below is met, a full licence or a transfer licence whose term exceeded twelve months but whose expiry date (“the expiry date”) has passed shall be treated for all the purposes of this Act as not expiring until the date mentioned in subsection (4) below.
- (2) The condition is that the Agency receives, not later than the beginning of the period of three months ending on the expiry date (or such later date before the expiry date as the Agency agrees), a valid application for a new licence—
 - (a) for abstraction from the same point as the abstraction licensed by the expiring licence;
 - (b) whose holder would be the same as the holder of the expiring licence; and
 - (c) which would take effect immediately after the expiry date.
- (3) For the purposes of subsection (2) above, a “valid” application is one which complies with all the requirements of this Act in relation to the making of applications for licences of the type in question.
- (4) The date referred to in subsection (1) above is whichever is the later of—
 - (a) if a new licence is granted (whether or not on the terms applied for), the date on which it takes effect;
 - (b) otherwise—
 - (i) except where the Secretary of State calls in an application under section 41 above, the expiry of the period for appealing under section 43 above, or if an appeal is brought, the date of its withdrawal; or
 - (ii) where the Secretary of State decides (under section 42 or 44 above) that no licence is to be granted, the date on which that decision is notified to the applicant.”