



# Water Act 2003

## 2003 CHAPTER 37

### PART 1

#### ABSTRACTION AND IMPOUNDING

##### *Miscellaneous*

### 31 Bulk supplies

(1) After section 20B of the WRA (inserted by section 29 of this Act) there is inserted—

#### **“20C Proposals for bulk supply arrangements**

- (1) In the circumstances mentioned in subsection (2) below, the Agency may, in carrying out its functions under section 6(2) of the 1995 Act, propose to a qualifying person (within the meaning of section 40 of the Water Industry Act 1991) that he make an application under that section for a bulk supply of water from a water undertaker.
  - (2) The circumstances referred to in subsection (1) above are that it appears to the Agency that such a bulk supply is necessary in order to secure the proper use of water resources.
  - (3) The Agency shall not make such a proposal without first consulting the Water Services Regulation Authority.
  - (4) The Agency may include in its proposal the period for which, and terms and conditions on which, the Agency considers it appropriate that the bulk supply should be given.”
- (2) In section 38 of the WRA (general consideration of applications), in subsection (3), after paragraph (b) there is inserted—

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*Status: This is the original version (as it was originally enacted).*

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“and may have regard to any failure on the part of the applicant to make an application under section 40 of the Water Industry Act 1991 pursuant to a proposal made by the Agency under section 20C above.”.

### **32 Visiting forces**

Section 223 of the WRA (exemption of visiting forces from restrictions on abstraction etc) shall cease to have effect.

### **33 Application of certain water resources provisions to this Act**

- (1) The relevant WRA provisions apply to (or in relation to) the following sections of this Act (the “applicable sections”) as they apply to (or in relation to) Part 2 or, as the case may be, Chapter 2 of Part 2 of the WRA—
  - (a) section 3 (existing impounding works),
  - (b) section 4 (existing impounding works: works notices), and
  - (c) section 10 (orders under section 33 of the WRA, etc).
- (2) Accordingly, in the relevant WRA provisions—
  - (a) references to Part 2 of, or to Chapter 2 of Part 2 of, the WRA are to be read as if the applicable sections were included in that Part or that Chapter,
  - (b) references to the related water resources provisions are to be read as if those provisions meant, in relation to the applicable sections, the relevant WRA provisions other than section 222 of the WRA, and
  - (c) references to the Secretary of State are to be read as references to the appropriate authority (as defined, in each case, in the applicable section in question).
- (3) The “relevant WRA provisions” are the following provisions of the WRA—
  - (a) section 120 (contributions between the Agency and certain other authorities),
  - (b) section 158 (works agreements for water resources purposes),
  - (c) section 201 (power to require information in respect of water resources functions), as substituted by section 70 of this Act,
  - (d) section 216 (enforcement: powers and duties),
  - (e) section 222 (Crown application), as in force immediately before the substitution made by paragraph 2(4) of Schedule 21 to the Environment Act 1995 (c. 25) and for so long as the substituted section 222 does not apply to Part 2 of the WRA.
- (4) Section 220 of the WRA (provisions relating to service of documents) applies to documents required or authorised by virtue of any of the applicable sections to be served on any person as it applies to documents required or authorised to be served by virtue of the WRA.
- (5) References in the WRA to the functions (generally) of the Environment Agency are to be read as including the Agency’s functions under the applicable sections.