



Water Act 2003

2003 CHAPTER 37

PART 3

MISCELLANEOUS

Discharge consents

87 Transfer of discharge consents

- (1) Paragraph 11 of Schedule 10 to the WRA (transfer of discharge consents) is amended as follows.
- (2) In sub-paragraph (2), the words “, subject to sub-paragraph (4) below,” are omitted.
- (3) In sub-paragraph (3), the words “, subject to sub-paragraph (4) below,” are omitted.
- (4) Sub-paragraph (4) is omitted.
- (5) For sub-paragraph (6) there is substituted—
 - “(6) Where a consent under paragraph 3 or 6 above is to be transferred under sub-paragraph (1) above—
 - (a) the person from whom and the person to whom the consent is to be transferred shall give joint notice to the Agency of the proposed transfer;
 - (b) the notice may specify the date on which it is proposed that the transfer should take effect;
 - (c) within twenty-one days beginning with the date of receipt of the notice duly given in accordance with sub-paragraph (6A) below, the Agency shall—
 - (i) arrange to amend the consent by substituting the name of the transferee as holder of the consent; and
 - (ii) serve notice on the transferor and the transferee that the amendment has been made; and

Changes to legislation: Water Act 2003, Cross Heading: Discharge consents is up to date with all changes known to be in force on or before 12 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (d) the transfer shall take effect from the later of—
 - (i) the date on which the Agency amends the consent; and
 - (ii) the date (if any) specified in the joint notice under paragraph (a) above.
 - (6A) A joint notice under sub-paragraph (6)(a) above shall include such information as may be prescribed.
 - (6B) If the person from whom the consent is to be transferred is a person in whom the consent has vested by virtue of sub-paragraph (2) or (3) above, a joint notice given under sub-paragraph (6)(a) above shall be of no effect unless the notice required by sub-paragraph (7) below has been given.
 - (6C) A notice or other instrument given by or on behalf of the Agency pursuant to sub-paragraph (6) above shall not constitute an instrument signifying the consent of the Agency for the purposes of paragraph 8 above.”
- (6) In sub-paragraph (9), the words “(6) or” are omitted.

Commencement Information

II S. 87 in force at 1.10.2004 by S.I. 2004/2528, art. 2(r) (with Sch. para. 68)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 52(9) inserted by [2014 c. 21 Sch. 7 para. 133\(3\)](#)