



# 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

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**Changes to legislation:** *Water Act 2003, Section 87 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*

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- (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.

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**Commencement Information**

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

**Changes to legislation:**

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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\(3\)](#)