



Water Supplies (Exceptional Shortage Orders) Act 1934

1934 CHAPTER 20

1 Power to make orders, and duration, variation and revocation of orders

- (1) The Minister of Health (in this Act referred to as "the Minister"), where he is satisfied that by reason of an exceptional shortage of rain a serious deficiency of supplies of water in any locality exists or is threatened, may make an order in relation to any water undertakers who are authorised by any enactment to supply water, or who are lawfully supplying water, in the locality, containing such provisions for any of the following purposes, and such supplemental incidental and consequential provisions, as appear to him to be expedient with a view to meeting the deficiency, that is to say,—
- (a) for authorising the undertakers, subject to any specified conditions, to take water from any specified source;
 - (b) for the suspension or modification, subject to any specified conditions, of any restriction or obligation to which the undertakers are subject as respects—
 - (i) the taking of water from any source ;
 - (ii) the discharge of compensation water;
 - (iii) the supply of water in any quantity or manner; or
 - (iv) the filtration or other treatment of water;
 - (c) for authorising or requiring any other water undertakers to give the undertakers (either within or beyond the limits of supply of those other undertakers) a supply of water in bulk on such terms as may be agreed between the undertakers concerned with the approval of the Minister or, in default of agreement, on such terms as may be determined by the Minister or by a person appointed by him for the purpose;
 - (d) for authorising the undertakers to prohibit the use for any particular purpose of water supplied by them in the locality, or to impose limitations on the use by consumers generally, or by any particular class of consumer, or for any particular purpose, of water supplied by the undertakers in the locality;
 - (e) for prohibiting, or imposing limitations on, the taking by any person (including other water undertakers) of water from a specified source (including a source from which any person to whom the prohibition or

limitation applies has, by virtue of an enactment, or of the ownership of land, or of an agreement, a right to take water), if the Minister is satisfied that the taking of water from that source seriously affects the supplies available for the undertakers;

- (f) for requiring persons having the control of sluices or other works for drawing down or keeping back water in a source to operate them in accordance with the provisions of the order or of any direction given thereunder.
- (2) In any order made for the suspension or modification of a restriction as respects the taking of water from a source from which water is supplied to an inland navigation or of an obligation to discharge compensation water into a canal or into any river or stream which forms part of, or from which water is supplied to, an inland navigation, the Minister may include provisions for prohibiting or imposing limitations on the taking of water from the navigation or for the suspension or modification of any obligation to which the navigation authority are subject as respects the discharge of water from the navigation.
 - (3) An order which confers on water undertakers power to prohibit, or to impose limitations on, the use of water supplied by them, may provide that, in exercising the power as respects the use of water for other than domestic purposes, the undertakers shall observe such conditions as to the reduction or suspension of charges regulated otherwise than by reference to quantities of water consumed as may be specified.
 - (4) In the exercise of his power to make orders, the Minister shall have regard to the interests of all persons concerned in the use of the water to which the order relates, whether for the purposes of agriculture, fisheries, industry, or navigation, or for other purposes.
 - (5) Subject to the provisions of this Act, an order shall cease to have effect at the expiration of such period (not exceeding six months) from the date on which it comes into operation as may be specified, and if no period is specified, at the expiration of six months from the date on which it comes into operation, but without prejudice to the power of the Minister to make a new order.
 - (6) The provisions of the Schedule to this Act shall have effect in relation to the procedure to be followed in connection with the making of orders.
 - (7) An order may be varied by a subsequent order made in accordance with the like procedure, or may be revoked by order of the Minister.