



Water Act 1945

CHAPTER 42

WATER ACT 1945

PART I

CENTRAL AND LOCAL PLANNING.

- 1 Duty of Minister in relation to water.
- 2 Central Advisory Water Committee.
- 3 Joint Advisory Water Committees.
- 4 Duties of Joint Advisory Water Committees.
- 5 Power to require local authorities and statutory water undertakers to carry out surveys and formulate proposals.
- 6 Power of Minister to require records and information from persons abstracting water.
- 7 Facilities for obtaining information as to underground water.

PART II

LOCAL ORGANISATION OF WATER SUPPLIES.

- 8 Joint water boards.
- 9 Combination of undertakers and transfer of undertakings by agreement or compulsorily.
- 10 Variation of limits of supply by agreement or compulsorily.
- 11 Power of Minister to authorise certain statutory water undertakers to supply premises outside their limits of supply.
- 12 Supply of water in bulk by agreement or compulsorily.
- 13 Default powers of Minister.

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CONSERVATION AND PROTECTION OF WATER RESOURCES.

- 14 Control of abstraction and prevention of waste in certain areas.
- 15 Agreements as to drainage, etc., of land.
- 16 Power to prohibit or restrict temporarily use of hosepipes.
- 17 Byelaws for preventing waste, misuse or contamination of water.
- 18 Byelaws for preventing pollution of water of undertakers.
- 19 General provisions as to byelaws.
- 20 Power of Minister to require the making of byelaws, to make byelaws in case of default and to revoke byelaws.
- 21 Penalty for polluting water used for human consumption.
- 22 Acquisition of land and execution of works for protection of water.

PART IV

POWERS AND DUTIES OF LOCAL AUTHORITIES AND WATER UNDERTAKERS.

Construction of works and acquisition of land and water rights.

- 23 Orders of Minister conferring certain powers on water undertakers.
- 24 Power of statutory water undertakers to acquire land by agreement or compulsorily.
- 25 Power of statutory water undertakers to hold and dispose of land.
- 26 Power of statutory water undertakers to acquire water rights.

Duty to supply water for non-domestic purposes.

- 27 Supply of water for non-domestic purposes.

Extension of powers and duties of local authorities under the Public Health Act, 1936.

- 28 Extension of duty to provide water supply for houses and schools.
- 29 Amendment of s. 137 of the Public Health Act, 1936.
- 30 Amendment of s. 138 of the Public Health Act, 1936.
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- 32 Incorporation and application by order of provisions of Third Schedule.
- 33 Repeal and amendment of local enactments.

Miscellaneous.

- 34 Temporary discharge of water into watercourses.
- 35 Power to supply water fittings.
- 36 Duty of statutory water undertakers to accept guarantees from local authorities.
- 37 Duty of undertakers to provide domestic supply for new buildings.
- 38 Liability for, and recovery of, water rates.
- 39 Notice to be given to local authority of water supply to inhabited house being cut off.
- 40 Power of Minister to revise water rates and charges.
- 41 Power of companies to issue redeemable stock.
- 42 Accounts of companies to be made up annually and abstracts sent to the Minister and local authorities.

43 Appointment of officers as directors.

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- 44 Compensation to officers of statutory water undertakers.
- 45 False information.
- 46 Restriction on right to prosecute.
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- 48 Entry of premises.
- 49 Inquiries by Ministers.
- 50 Power to revoke and vary orders.
- 51 Regulations.
- 52 Expenses of the Minister.
- 53 Expenses of Common Council.
- 54 Notices, etc., to be in writing.
- 55 Authentication of documents.
- 56 Service of notices, etc..
- 57 Proof of resolutions, etc..
- 58 Judges and justices not disqualified by liability to rates.
- 59 Interpretation.
- 60 Provision as to work involving alteration of telegraphic lines.
- 61 Saving for protective provisions in other Acts.
- 62 Repeals.
- 63 Short title, extent and commencement.

SCHEDULES.

FIRST SCHEDULE — Procedure for making Orders, approving Agreements and making and confirming Byelaws.

PART I

Orders made by the Minister under sections 9 (1), 10 (1), 23, 26 (2), section 32 (2) (if made on application of undertakers) and section 33.

- 1 An application by a company for an order under subsection...
- 2 Applicants for any order to which this Part of this...
- 3 Not later than the date on which the said notice...
- 4 The applicants shall also publish in the London Gazette a...
- 5 The applicants shall, at the request of any person interested,...
- 6 The Minister may make an order in the terms of...
- 7 If, before the expiration of the twenty-eight days referred to...
- 8 On the making of an order to which this Part...
- 9 The costs incurred by the Minister in connection with the...
- 10 In this Part of this Schedule the expression " area...

PART II

Orders made by the Minister under sections 9 (2), 10 (2), 12 (3) and 14 (1) and (if no application by undertakers) section 32 (2).

- 11 Before making an order to which this Part of this...
- 12 Not later than the date on which the said notice...
- 13 The Minister shall also publish in the London Gazette a...

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- 14 The Minister shall, at the request of any person interested,...
- 15 The Minister may make the order either in the terms...
- 16 If, before the expiration of the twenty-eight days referred to...
- 17 On the making of any order to which this Part...
- 18 The costs incurred by the Minister in connection with the...
- 19 In this Part of this Schedule the expression " area...

PART III

Agreements made by statutory water undertakers under section 12 and section 26.

- 20 Statutory water undertakers who propose to enter into an agreement...
- 21 The statutory water undertakers shall also publish in the London...
- 22 The Minister shall not approve the agreement, before the expiration...
- 23 On approving by order / any agreement to which this...
- 24 The costs incurred by the Minister in connection with the...

PART IV

Byelaws made by statutory water undertakers under section 17 and section 18.

- 25 Byelaws to which this Part of this Schedule applies shall...
- 26 At least one month before application for confirmation of the...
- 27 For at least one month before such application is made,...
- 28 The undertakers shall, at the request of any person interested,...
- 29 The Minister may confirm, or refuse to confirm, any byelaw...
- 30 A copy of the byelaws, when confirmed, shall be printed...
- 31 The production of a printed copy of the byelaws, upon...

PART V

Orders made by the Minister revising water rates and charges under section 40.

- 32 Applicants for any order to which this Part of this...
- 33 Not later than the date on which the said notice...
- 34 The applicants shall also publish in the London Gazette a...
- 35 If, before the expiration of the twenty-eight days referred to...

SECOND — Compulsory Purchase Orders. SCHEDULE

Form, contents and procedure.

- 1 A compulsory purchase order made under this Act shall be...
- 2 The modifications subject to which the Lands Clauses Acts and...
- 3 Before submitting the order to the Minister, the local authority...
- 4 If no objection is duly made by any of the...
- 5 An order as confirmed by the Minister shall not, unless...
- 6 In construing for the purposes of this Schedule or any...

Validity and date of operation.

- 7 So soon as may be after a compulsory purchase order...
- 8 If any person aggrieved by such an order as aforesaid...
- 9 Subject to the provisions of the last foregoing paragraph, the...
- 10 Except by leave of the Court of Appeal, no appeal...

THIRD SCHEDULE — Provisions to be incorporated in orders relating to water undertakings.

PART I — INTERPRETATION.

1 Definitions, and &c.

PART II — WORKS AND LANDS.

2 Permissible limits of deviation.

3 Limit on powers of undertakers to take water.

4 General power to construct subsidiary works.

5 Power of undertakers to lay or erect telephone wires, and &c.

6 Penalty for obstructing construction of works.

7 Power to acquire easements for underground works.

8 Persons under disability may grant easements, and &c.

9 Extinction of private rights of way.

PART III — COMPENSATION WATER.

10 Provisions as to compensation water.

PART IV — MINERALS UNDERLYING WATERWORKS.

11 Undertakers not entitled to underlying minerals, unless expressly purchased.

12 Map of underground works to be prepared and kept up to date.

13 Mines lying near the works not to be worked without notice to undertakers.

14 If undertakers unwilling to pay compensation, mines may be worked in usual manner.

15 Power to make mining communications where continuous working is prevented.

16 Undertakers to pay compensation for expenses incurred by reason of severance.

17 Undertakers may enter and inspect the working of mines.

18 Undertakers not exempted from liability for injury to mines.

PART V — POWER TO LAY MAINS, &C.

19 Power to lay mains.

20 Conditions as to laying mains outside limits of supply.

21 Power to lay service pipes, and &c.

PART VI — BREAKING OPEN STREETS, &C.

22 Power to break open streets.

23 Notice to be given before breaking open streets, and &c.

24 Streets, and c, not to be broken open except under supervision of persons responsible therefor.

25 Protection for railway companies, navigation authorities, tramway undertakers, etc..

26 Streets, and c, broken open to be reinstated without delay.

27 Remedies where undertakers fail to comply with foregoing requirements.

28 Application of Part VI to verges and streets and highways not maintainable at the public expense.

PART VII — SUPPLY OF WATER FOR DOMESTIC PURPOSES.

29 Duty of undertakers to lay additional mains on certain conditions.

30 Right to demand supply for domestic purposes.

31 Duty of undertakers as respects sufficiency and purity.

PART VIII — SUPPLY OF WATER FOR PUBLIC PURPOSES.

32 Undertakers to fix and maintain fire-hydrants on pipes.

33 Undertakers to deposit keys of hydrants at certain places.

34 Cost of hydrants.

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- 35 Hydrants to be placed near factories, and c, at the request of owners or occupiers.
- 36 Water to be taken to extinguish fires without charge.
- 37 Supply of water for cleansing sewers, and c, and for other public purposes.
- 38 Penalties for default in respect of hydrants or supply of water.
PART IX — CONSTANCY AND PRESSURE OF SUPPLY.
- 39 Duty of undertakers as respects constant supply and pressure.
PART X — LAYING AND MAINTENANCE OF SUPPLY PIPES AND COMMUNICATION PIPES.
- 40 Laying of supply pipes, and &c.
- 41 Laying of communication pipes, and &c.
- 42 Power of undertakers to require separate service pipes.
- 43 Power to break open streets forming boundary of limits of supply.
- 44 Vesting of communication pipes and repair of such pipes and of supply pipes in highways.
PART XI — STOPCOCKS.
- 45 Provisions as to position, and c, of stopcocks.
PART XII — WATER RATES AND CHARGES.
- 46 Water rates.
- 47 Power to make agreed charges for domestic supply.
- 48 Additional charges where water supplied for domestic purposes and paid for by water rate is used for other purposes.
- 49 Power to require supply to certain premises and for certain purposes to be taken by meter.
- 50 Power to require supplies for refrigerating or water-softening apparatus, and c, to be taken by meter.
- 51 Power to require supply for hose-pipe to be taken by meter in certain cases.
- 52 Provisions as to supply to sheds, tents, vans, and &c.
- 53 Liability to water rates where building supplied by common pipe.
- 54 Water rates on certain houses may be demanded from the owners.
- 55 Making and dates for payment of water rates.
- 56 Effect on water rates of alterations in valuation list.
- 57 Discount for prompt payment of water rates and charges.
- 58 Recovery of rates and charges from persons leaving premises.
- 59 Register of meter to be evidence.
PART XIII — PROVISIONS FOR PREVENTING WASTE, &C, OF WATER, AND AS TO METERS AND OTHER FITTINGS.
- 60 Power to require provision of cisterns in certain cases.
- 61 Power to test water fittings.
- 62 Power to enter premises to detect waste or misuse of water.
- 63 Power to repair supply pipes.
- 64 Penalty for waste, and c, of water by non-repair of water fittings.
- 65 Penalties for misuse of water.
- 66 Penalty for fraudulent use of water.
- 67 Penalty for interference with valves and apparatus.
- 68 Penalty for extension or alteration of pipes, and &c.
- 69 Meters to be connected, or disconnected, by undertakers.
- 70 Meters, and &c., to measure water or detect waste.
PART XIV — POLLUTION OF WATER MANUFACTURE, &C. OF GAS.
- 71 Provisions as to pollution by liquids resulting from manufacture of gas.
- 72 Provision as to pollution by gas.

- 73 Power to examine gas pipes to ascertain source of pollution.
PART XV — FINANCIAL PROVISIONS APPLICABLE TO WATER COMPANIES.
- 74 Maximum rates of dividend.
- 75 Sale of stock by auction or tender.
- 76 Reserve and contingency funds.
- 77 Limitation on balance carried forward at end of year.
- 78 Power to pay superannuation and other allowance, and c, and to assist research.
PART XVI — GENERAL AND MISCELLANEOUS.
- 79 Notice of discontinuance.
- 80 Duty of undertakers to give notice of certain works.
- 81 Undertakers may obtain copies of valuation list on payment.
- 82 Power to enter premises.
- 83 Penalty for obstructing execution of special Act.
- 84 Power to require occupier to permit works to be executed by owner.
- 85 Summary proceedings for offences.
- 86 Continuing offences and penalties.
- 87 Restriction on right to prosecute.
- 88 Inclusion of several sums in one complaint, and &c.
- 89 Appeals and applications to courts of summary jurisdiction.
- 90 Appeals to quarter sessions against decisions of justices.
- 91 Mode of reference to arbitration.
- 92 Liability of undertakers to pay compensation.
- 93 Protection for works of navigation authorities and for catchment boards and railways.
- 94 Copies of special Act to be kept by undertakers in their office, and deposited with certain officers.

FOURTH SCHEDULE — Amendments of the Public Health Act, 1936.

FIFTH SCHEDULE — Enactments Repealed.