
STATUTORY INSTRUMENTS

2006 No. 641

**The Water Resources (Abstraction
and Impounding) Regulations 2006**

PART 1

PRELIMINARY

Citation and commencement

1.—(1) These Regulations may be cited as the Water Resources (Abstraction and Impounding) Regulations 2006.

(2) Regulation 15 shall come into force on the date on which section 7(3) of the Water Act 2003 comes into force, and all other provisions of these Regulations shall come into force on 1st April 2006.

Interpretation

2.—(1) In these Regulations—

“abstraction licence” means a licence under Chapter 2 of Part 2 of the Act to abstract water**(1)**;

“the Act” means the Water Resources Act 1991;

“Agency application” means an application by the Agency for an abstraction licence or an impounding licence, or for the variation of such a licence, prepared in accordance with paragraph 1 of Schedule 2;

“the Assembly” means the National Assembly for Wales;

“called-in application” means an application referred to the Secretary of State or the Assembly (as the case may be) in accordance with directions given under section 41**(2)** (Secretary of State’s power to call in applications);

“impounding” means the obstruction or impeding of the flow of inland waters by means of impounding works**(3)** or the construction or alteration of impounding works;

“impounding licence” means a licence**(4)** under Chapter 2 of Part 2 of the Act to obstruct or impede the flow of inland waters by means of impounding works;

-
- (1)** A reference to a licence to abstract water is to be taken as a reference to all types of licence (i.e., full, transfer or temporary licences) unless it is clear that a different meaning is intended (section 24A(2)), and “full licence”, “temporary licence” and “transfer licence” have the meanings given in section 24A(1) (section 72(1)).
- (2)** Section 41 was amended by the Environment Act 1995 (c. 25) (“the EA”), section 120 and Schedule 22, paragraph 128, and the Water Act 2003 (2003 c. 37) (“the WA”), section 13(2). Functions of the Secretary of State under section 41 so far as exercisable in relation to Wales have been transferred to the Assembly (National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, article 2 and Schedule 1).
- (3)** For the definition of “impounding works” see sections 25(8) and 72(1).
- (4)** For the definition of “licence” in this context, see sections 25(6) and (7) and section 72(1).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“register” means a register kept by the Agency in accordance with section 189(5) (register of abstraction and impounding licences);

“relevant date” has the meaning given by regulation 5; and

“valid application” means an application for an abstraction licence or an impounding licence that complies with the requirements of regulations 3 and 4.

(2) Unless the contrary intention appears, any reference in these Regulations to a section is a reference to a section of the Act.

(5) Section 189 was amended by the EA, section 120 and Schedule 22, paragraph 128, and the WA, section 23(3).