



Land Drainage Act 1961

1961 CHAPTER 48

PART II

MISCELLANEOUS PROVISIONS AS TO LAND DRAINAGE AND DRAINAGE BOARDS

Amendments of Act of 1930

18 Performance by river board of functions of internal drainage board

- (1) A scheme under paragraph (b) of subsection (1) of section four of the Act of 1930 which makes provision for the constitution of a new internal drainage district may provide for the river board submitting the scheme to be constituted the drainage board of that district and for conferring on it in relation to that district the powers and duties of an internal drainage board; and any expenses incurred by the river board as the drainage board of such a district shall be defrayed under and in accordance with the powers so conferred and not in any other manner.
- (2) Where, whether by virtue of subsection (1) of this section or of an order under section eleven of the Act of 1930, a river board are the drainage board of an internal drainage district and a petition for constituting an internal drainage board for that district is made to the river board by a sufficient number of qualified persons or by a qualified authority, the Minister may by order constitute an internal drainage board for that district and transfer to it the property and liabilities of the river board so far as vested in or incurred by them in their capacity as the drainage board for that district.
- (3) The provisions of the Act of 1930 shall apply in relation to an order under subsection (2) of this section as they apply in relation to an order under section eleven of that Act.
- (4) On receiving such a petition as is mentioned in subsection (2) of this section the river board shall send a copy of it to the Minister and they shall inform the Minister, within six months of the date on which the petition is received, whether in their opinion an order under that subsection ought to be made.

*Status: This is the original version (as it was originally enacted).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

- (5) Before making an order under subsection (2) of this section the Minister shall consider the views expressed by the river board in accordance with subsection (4) of this section.
- (6) (a) The Minister shall by regulations provide for the payment by a river board, subject to such exceptions or conditions as may be specified in the regulations, of compensation to any officer or servant of that board who suffers loss of employment or loss or diminution of emoluments which is attributable to an order made under subsection (2) of this section or anything done in pursuance of any such order.
- (b) Different regulations may be made under this subsection in relation to different classes of persons.
- (c) Regulations made under this subsection may include provision as to the manner in which and the persons to whom any claim for compensation by virtue of this subsection is to be made, and for the determination of all questions arising under the regulations.
- (d) Regulations made under this subsection shall be made by statutory instrument and shall be subject to annulment in pursuance of a resolution of either House of Parliament.