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SCHEDULES

SCHEDULE 1

Section 3.

RIVER AUTHORITIES

No.	Names of river authorities	River board areas
1	The Northumbrian River Authority.	The Northumberland and Tyneside River Board area and the Wear and Tees River Board area.
2	The Yorkshire Ouse and Hull River Authority.	The Hull and East Yorkshire River Board area and the Yorkshire Ouse River Board area.
3	The Trent River Authority.	The Trent River Board area.
4	The Lincolnshire River Authority.	The Lincolnshire River Board area.
5	The Welland and Nene River Authority.	The Welland River Board area and the Nene River Board area.
6	The Great Ouse River Authority.	The Great Ouse River Board area.
7	The East Suffolk and Norfolk River Authority.	The East Suffolk and Norfolk River Board area.
8	The Essex River Authority.	The Essex River Board area.
9	The Kent River Authority.	The Kent River Board area.
10	The Sussex River Authority.	The East Sussex River Board area and the West Sussex River Board area.
11	The Hampshire River Authority.	The Hampshire River Board area.
12	The Isle of Wight River Authority.	The Isle of Wight River Board area.
13	The Avon and Dorset River Authority.	The Avon and Dorset River Board area.
14	The Devon River Authority.	The Devon River Board area.
15	The Cornwall River Authority.	The Cornwall River Board area.

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No.	Names of river authorities	River board areas
16	The Somerset River Authority	The Somerset River Board area.
17	The Bristol Avon River Authority.	The Bristol Avon River Board area.
18	The Severn River Authority.	The Severn River Board area.
19	The Wye River Authority.	The Wye River Board area.
20	The Usk River Authority.	The Usk River Board area.
21	The Glamorgan River Authority.	The Glamorgan River Board area.
22	The South West Wales River Authority.	The South West Wales River Board area.
23	The Gwynedd River Authority	The Gwynedd River Board area.
24	The Dee and Clwyd River Authority.	The Dee and Clwyd River Board area.
25	The Mersey and Weaver River Authority.	The Mersey River Board area and the Cheshire River Board area.
26	The Lancashire River Authority.	The Lancashire River Board area.
27	The Cumberland River Authority.	The Cumberland River Board area.

SCHEDULE 2

Section 3.

SEAWARD BOUNDARIES OF RIVER AUTHORITY AREAS

- 1 (1) Except as otherwise provided by this Schedule, the seaward boundary of a river authority area shall be low-water mark on the coast of the area.
- (2) In this Schedule " low-water mark" means low-water mark of ordinary spring tides.
- 2 (1) Subject to any order made under this Schedule, where a river, stream or other watercourse, whether natural or artificial and whether tidal or not, or any creek in so far as it does not form part of such a watercourse, discharges into the sea, the whole of the mouth of the watercourse within a line from low-water mark at the seaward extremity of one bank to low-water mark at the seaward extremity of the other bank, or the whole of the creek within such a line, as the case may be, shall form part of a river authority area, and, if both banks are in the same river authority area, shall form part of that river authority area.
- (2) In this paragraph " the sea" includes any bay, estuary or arm of the sea.

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- 3 Where the entrance to a dock is on the coast, the whole of the dock shall form part of a river authority area, and, if both sides of the dock are in the same river authority area, shall form part of that river authority area.
- 4 Where paragraph 2 or paragraph 3 of this Schedule applies, but the banks of the watercourse or creek or the sides of the dock, as the case may be, are in different river authority areas, the Minister may by order determine in which river authority area any part of the watercourse, creek or dock is to be comprised.
- 5 (1) Without prejudice to the last preceding paragraph, the Minister may by order designate any tidal waters and direct that those waters, in so far as they are below low-water mark.—
- (a) shall be included in a river authority area specified in the order, or
 - (b) shall be excluded from a river authority area so specified or (if the order so provides) shall be excluded from all the river authority areas.
- (2) Any tidal waters which, by virtue of an order under this paragraph, are included in a river authority area shall by virtue of the order be excluded from any other river authority area, if apart from the order they would form part of that other area.
- (3) Any tidal waters designated by an order under this paragraph shall be so designated by reference to a map ; and where by any such order it is proposed to designate any tidal waters for the purpose only of excluding them from a river authority area, or from all river authority areas, those waters may, if the Minister considers it appropriate to do so, be designated as being all tidal waters which, in so far as they are below low-water mark, lie to seaward of a line specified in the order by reference to a map.
- 6 Before making an order under this Schedule, the Minister shall prepare a draft order, and shall cause a notice to be published—
- (a) stating the general effect of the order ;
 - (b) specifying the places where copies of the draft order and of any map to which it refers may be inspected by any person free of charge at all reasonable times during the period of twenty-eight days beginning with the date on which the notice is first published in a newspaper other than the London Gazette; and
 - (c) stating that any person may within that period, by notice in writing to the Minister, object to the making of the order.
- 7 (1) The places to be specified in a notice in accordance with sub-paragraph (b) of the last preceding paragraph are—
- (a) the principal office of every river board whose area includes any part of the relevant coast, and
 - (b) the office of every county or county borough council whose area includes any part of the relevant coast.
- (2) In this paragraph " the relevant coast"—
- (a) in relation to an order under paragraph 4 of (this Schedule, means the coast which comprises the part of the river, stream or other watercourse, or the creek or dock, to which the order relates, and
 - (b) in relation to an order under paragraph 5 of this Schedule, means the coast adjoining the tidal waters designated in the draft order.
- 8 A notice under paragraph 6 of this Schedule shall be published in the London Gazette and at least once in each of two successive weeks in one or more

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- newspapers (other than the London Gazette) circulating in the area of each river board whose principal office is required to be specified in the notice in accordance with sub-paragraph (b) of that paragraph.
- 9 If, before the end of the period of twenty-eight days referred to in paragraph 6(b) of this Schedule, notice in writing of an objection is received by the Minister, and the objection is not withdrawn, the Minister, before making the order, shall afford to the objector an opportunity of appearing before, and being heard by, a person appointed by the Minister for the purpose.
- 10 Subject to the last preceding paragraph, the Minister may make the order either in the form of the draft or in that form as altered in such manner as he may think fit:
- Provided that the order shall not be made so as to include in a river authority area any tidal waters which would have been outside all the river authority areas if the order had been made in the form of the draft order.
- 11 Where an order is made under this Schedule, the Minister shall cause a notice to be published—
- (a) stating that the order has been made, either in the form of the draft order or with alterations specified in the notice, as the case may be, and
 - (b) specifying the places where copies of the order and of any map to which it refers may be inspected by any person free of charge at all reasonable times during the period mentioned in sub-paragraph (1) of the next following paragraph.
- 12 (1) The period referred to in sub-paragraph (b) of the last preceding paragraph is the period beginning with the date on which the notice is first published in a newspaper other than the London Gazette and ending with the earliest date by which the Ministers have sent to each of the river authorities concerned a map as required by section 11(1) of this Act.
- (2) The places to be specified in a notice under the last preceding paragraph in the case of an order shall be the places specified in the notice published in relation to the draft of that order in accordance with paragraph 6 of this Schedule.
- (3) A notice under the last preceding paragraph shall be published in the London Gazette and at least once in each of two successive weeks in one or more newspapers (other than the London Gazette) circulating in the area of each river board whose principal office is included among the places to be specified as mentioned in the last preceding sub-paragraph.
- (4) In this paragraph " river authority concerned " means a river authority established under section 3 of this Act whose area includes any part of the relevant coast (as defined by paragraph 7(2) of this Schedule).
- 13 (1) If any person desires to question the validity of an order under this Schedule on the grounds that it is not within the powers of this Act, or that any requirements of this Act have not been complied with in relation to the order, he may, within six weeks after the first publication of the notice required by paragraph 11 of this Schedule, make an application for the purpose to the High Court; and if any such application is duly made, the court, if satisfied that the order is not within the powers of this Act or that the interests of the applicant have been substantially prejudiced by a failure to comply with any of the requirements of this Act in relation to the order, may quash the order either generally or in so far as it affects the applicant.

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- (2) Except as provided by the preceding sub-paragraph, the validity of an order under this Schedule shall not, either before or after the order has been made, be questioned in any legal proceedings whatsoever.
- 14 Nothing in this Schedule or in any order made thereunder shall affect the extent of a river authority area for the purposes of the enactments relating to land drainage, fisheries or river pollution, or for the purposes of any order, scheme, regulation, award or byelaw made by virtue of any such enactment.

SCHEDULE 3

Section 5.

ADAPTATION OF STATUTORY PROVISIONS IN CONSEQUENCE OF TRANSFER OF FUNCTIONS

Introductory

- 1 The provisions of this Schedule shall have effect as from the second appointed day.
- 2 In this Schedule " the appropriate river authority ", in relation to a river board, means the river authority in relation to which the area of that river board is specified, or is one of those specified, in the third column of Schedule 1 to this Act, and " the appropriate river authority area " shall be construed accordingly.
- 3 Where, by virtue of Schedule 3 to the River Boards Act 1948 (which provided for the application of enactments to river board areas) the provisions of any enactment, order, scheme, award or byelaw were to have effect, or to be construed, as if they referred, or included references, to river boards or their areas generally, or to a particular river board or the area of a particular river board, those provisions shall be treated for the purposes of this Schedule as having been amended accordingly by the said Act of 1948.

General adaptation of statutory provisions

- 4 Subject to the following provisions of this Schedule, all enactments, orders, schemes, regulations, awards and byelaws passed or made before the second appointed day, whether before or after the passing of this Act, shall have effect subject to the following adaptations:—
- (a) general references to a river board or a river board area shall be construed as references to a river authority or a river authority area, as the case may be ;
 - (b) references to a particular river board or a particular river board area shall be construed as references to the appropriate river authority or the appropriate river authority area, as the case may be :

Provided that sub-paragraph (b) of this paragraph shall not affect the construction of any reference to a particular river board area where the appropriate river authority area comprises that river board area together with the area of another river board.

Special provisions relating to land drainage

- 5 (1) The provisions of the Land Drainage Act 1930 specified in the next following sub-paragraph shall not apply to any river authority or river authority area, but without prejudice to their application (so far as applicable) to the drainage board of any internal drainage district.

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- (2) The said provisions are section 1 (except subsection (3) thereof), subsections (1) to (3) of section 2, sections 3, 5, 12, 15 and 20, section 22 (so far as it applies to councils of counties and county boroughs) sections 43, 45 and 46, subsections (2) to (7) of section 47, section 48, subsections (1), (2), (3) and (5) of section 49, sections 72, 73, 75, 78 and 79, section 80 (except subsection (5) thereof) and Schedule 1.
- 6 (1) Section 4 of the Land Drainage Act 1930 shall have effect as if subsection (1) thereof empowered a river authority at any time, and required them on the direction of the Minister of Agriculture, Fisheries and Food, to submit to that Minister for confirmation a scheme making provision for any of the matters referred to in that subsection, and as if the reference in the said subsection to the commencement of that Act were a reference to the date of the submission of the scheme.
- (2) Section 23 of the said Act of 1930 shall have effect as if the references therein to Part IV of that Act were references to this Act.
- (3) Section 76 of the said Act of 1930 shall have effect as if the reference therein to Part V of that Act were a reference to this Act.
- 7 Section 18 of the Agriculture (Miscellaneous War Provisions) Act 1940 shall not apply to a river authority.

Special provisions relating to fisheries

- 8 No order shall be made under Part IV of the Salmon and Freshwater Fisheries Act 1923 setting up any fishery board for a district included in a river authority area, but an order may be made thereunder providing for the regulation of fisheries by a river authority in the whole or any part of their area, and, in relation to any such order.—
- (a) section 38(1)(a) of the said Act shall have effect as if the words " of the fishery district" were omitted, and paragraphs (b), (g) and (h) of section 38 (1), and section 38 (4), shall not apply ;
- (b) references in the said section 38, in the next following section, and in Schedule 2 to that Act, to the fishery board constituted by the order shall be construed as references to the river authority ; and
- (c) section 41 of that Act shall not apply to a river authority.
- 9 (1) The provisions of the said Act of 1923 specified in the next following sub-paragraph shall not apply to river authorities and river authority areas.
- (2) The said provisions are section 43, sections 45 to 53, subsection (1)(a) and subsection (2) of section 54, sections 56 to 58, section 60, section 65 (2), sections 66, 68 and 88, and Schedule 3.
- 10 In section 64 (1) of the said Act of 1923, references to water bailiffs appointed under that Act shall be construed as references to water bailiffs appointed under this Act, and references in subsequent provisions of that Act to water bailiffs shall be construed accordingly ; and the words in section 67 (4) of that Act "purporting to be executed in the manner prescribed in this Act" shall not apply to water bailiffs appointed under this Act.
- 11 Section 81 of the said Act of 1923 shall, so far as it relates to byelaws, not apply to river authorities.

SCHEDULE 4

Section 6.

PROVISIONS AS TO RIVER AUTHORITIES

Corporate status of river authorities

- 1 A river authority shall be a body corporate with perpetual succession and a common seal.

Terms of office of members of river authorities

- 2 (1) This paragraph applies to the members of a river authority other than any additional member appointed by virtue of section 8(4) of this Act and any local authority member appointed under subsection (5) of that section by reason of the appointment of such an additional member.
- (2) The first members to whom this paragraph applies shall come into office on the day on which the authority comes into existence, or, in the case of a member who is for any reason appointed after that day, on the day on which the appointment is made, and, subject to the following provisions of this Schedule, shall hold office until the end of October in such year as may be specified for the purposes of this paragraph in the order establishing the authority.
- (3) Any other members to whom this paragraph applies shall come into office at the beginning of the November next following the day on which they are appointed, and, subject to the following provisions of this Schedule, shall hold office for a term of three years:

Provided that if for any reason any member is appointed on or after the day on which he ought to have come into office, he shall come into office on the day on which he is appointed and shall hold office for the remainder of the said term.

- (4) Where the constitution of the authority is varied by an order made under section 3 or section 10 of this Act, any members to whom this paragraph applies who are required by or under the order to vacate their office shall do so notwithstanding the preceding provisions of this paragraph, and any new members of the authority appointed to give effect to the variation shall hold office so long only as the remaining members to whom this paragraph applies will hold office.
- 3 Any additional member of a river authority appointed by virtue of section 8 (4) of this Act—
- (a) shall come into office on the first day of the year for which the drainage charge in question is raised, or (if later) the day of his appointment, and
- (b) subject to the following provisions of this Schedule, shall hold office until the expiry of the terms of office of members of the authority to whom the preceding paragraph applies, except that, if for any year beginning within that period nether a general nor a special drainage charge is raised by the authority, he shall cease to hold office at the end of the preceding year ;
- and any local authority member appointed under section 8(5) of this Act by reason of the appointment of such an additional member shall come into office on the day on which the additional member comes into office, or, (if later) the day of his appointment, and, subject to the following provisions of this Schedule, shall hold office for so long as the additional member holds office.

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Vacation of office by members of river authorities

- 4 A member of a river authority may resign his office at any time by notice in writing under his hand given to the chairman of the authority.
- 5 (1) A member of a river authority shall vacate his office if he—
- (a) is adjudged bankrupt, or makes a composition or arrangement with his creditors ; or
 - (b) is surcharged to an extent exceeding five hundred pounds at any audit by a district auditor (whether or not the audit relates to the accounts of the river authority); or
 - (c) is convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence, and ordered to be imprisoned for a period of not less than three months without the option of a fine ; or
 - (d) has, for a period of six consecutive months, been absent from meetings of the river authority, otherwise than by reason of illness or some other cause approved during that period by the river authority.
- (2) For the purposes of head (d) of the preceding sub-paragraph, the attendance of a member of a river authority at a meeting of any committee of the authority of which he is a member, or of any joint committee to which he has been appointed by the authority, shall be treated as attendance at a meeting of the river authority.

Appointments to fill casual vacancies

- 6 (1) Where, for any reason whatsoever, the place of a member of a river authority becomes vacant before the end of his term of office, the vacancy—
- (a) shall, if the unexpired portion of the term of office of the vacating member is six months or more, be filled by the appointment under this paragraph of a new member, and
 - (b) may be so filled in any other case.
- (2) Subject to the next following sub-paragraph, an appointment made under this paragraph in respect of any vacancy shall be made by the Minister of the Crown, councils or council, or other body, by whom the vacating member was appointed, or, if the vacating member was appointed jointly by any councils and they are unable to agree on an appointment, by the Ministers on behalf of those councils ; and where the vacating member was appointed from amongst persons nominated by any council, the new member shall be appointed similarly.
- (3) Where the vacating member was appointed by the Ministers on behalf of any councils, the new member shall be appointed by the councils in question jointly, or, if those councils are unable to agree on an appointment, by the Ministers on their behalf.
- 7 A person appointed under the last preceding paragraph to fill a casual vacancy shall hold office so long only as the vacating member would have held office.

Disqualification for, and re-appointment to, membership of river authorities

- 8 (1) Subject to the following provisions of this paragraph, a person shall be disqualified for appointment as a member of a river authority if he—
- (a) is a paid officer or servant of the authority ; or

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- (b) has been adjudged bankrupt, or has made a composition or arrangement with his creditors ; or
 - (c) has, within the period of five years ending on the date on which his qualification for appointment falls to be determined, been surcharged to an extent exceeding five hundred pounds at any audit by a district auditor ; or
 - (d) has, within that period, been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence, and ordered to be imprisoned for a period not less than three months without the option of a fine.
- (2) For the purposes of head (a) of the preceding sub-paragraph, a person shall not be regarded as a paid officer or servant of a river authority by reason only that expenses incurred by him in the performance of his duties are defrayed by the authority.
- (3) The disqualification attaching to a person under head (b) of sub-paragraph (1) of this paragraph by reason of his having been adjudged bankrupt shall cease—
- (a) if the bankruptcy is annulled, either on the ground that he ought not to be adjudged bankrupt, or on the ground that his debts have been paid in full, on the date of the annulment; or
 - (b) if he is discharged with a certificate that the bankruptcy was caused by misfortune without any misconduct on his part, on the date of his discharge ; or
 - (c) in any other case, on the expiry of five years from the date of his discharge.
- (4) The disqualification attaching to a person under that head by reason of his having made a composition or arrangement with his creditors shall cease—
- (a) if he pays his debts in full, on the date on which the payment is completed ; or
 - (b) in any other case, on the expiry of five years from the date on which the terms of the deed of composition or arrangement are fulfilled.
- (5) For the purposes of heads (c) and (d) of sub-paragraph (1) of this paragraph, the ordinary date on which the period allowed for making an appeal or application with respect to the surcharge or conviction expires or, if such an appeal or application is made, the date on which it is finally disposed of, or abandoned, or fails by reason of the non-prosecution thereof, shall be taken to be the date of the surcharge or conviction, as the case may be.

9 Subject to the provisions of this Schedule, a vacating member of a river authority shall be eligible for re-appointment.

First meetings of river authorities

10 The first meeting of a river authority shall be held on such day, and at such time and place, as may be appointed by the Ministers, and the Ministers shall make arrangements for notice of the meeting to be sent by post to each member of the authority not less than fourteen days before the day so appointed.

Appointment of committees

- 11 (1) Every river authority shall appoint a finance committee for regulating and controlling the finance of the authority.
- (2) A river authority may appoint a committee for any such general purpose as in the opinion of the authority would be better regulated and managed by means of a committee.

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- (3) A river authority may delegate to a committee appointed under this paragraph, with or without restrictions or conditions, as they think fit, any of the functions of the authority except their power to issue precepts or borrow money.
- 12 A river authority may concur with any one or more other river authorities in appointing a joint committee of those authorities for any purpose in which they are jointly interested, and may delegate to the committee, with or without restrictions or conditions, as they think fit, any of the functions of the river authority relating to the purpose for which the joint committee is formed, except their powers to issue precepts or borrow money.

Members of committees

- 13 (1) The number of members of a committee appointed under paragraph 11 or paragraph 12 of this Schedule, and the terms of office of the members thereof, shall be fixed by the river authority or authorities by whom the committee is appointed.
- (2) The persons appointed by a river authority to be members of any such committee shall in the case of a finance committee or joint committee be members of the river authority, but may in any other case include, to a number not exceeding one-third of the total number of members of the committee, persons who are not members of the river authority.
- (3) A person who is disqualified under paragraph 8 of this Schedule for being a member of a river authority shall be disqualified for being a member of any committee appointed under this Schedule.
- (4) Every member of a committee appointed under this Schedule who, at the time of his appointment, was a member of the river authority by whom he was appointed shall, upon ceasing to be a member of that authority, also cease to be a member of the committee:

Provided that for the purposes of this provision a member of a river authority shall not be deemed by reason of retirement to have ceased to be a member of the authority if he has been reappointed a member thereof not later than the day of his retirement.

Proceedings of river authorities and committees

- 14 The proceedings of a river authority, or of any committee appointed under this Schedule, shall not be invalidated by any vacancy in their number or by any defect in the appointment, or the qualification for appointment, of any person as a member, or as chairman or vice-chairman, of the authority or committee.
- 15 (1) A river authority may make rules with respect to—
- (a) the proceedings (including quorum, place of meeting and notices to be given of meetings) of the authority or any committee appointed by the authority under paragraph 11 of this Schedule, and
 - (b) the appointment of a chairman and a vice-chairman of the authority or any such committee.
- (2) The powers conferred by the preceding sub-paragraph may be exercised in relation to a joint committee appointed under paragraph 12 of this Schedule by the river authorities by which the committee was appointed.

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- (3) Subject to rules made under this paragraph, this proceedings of any committee appointed under this Schedule shall be such as the committee may determine.
- 16 (1) Any member of a river authority appointed by the National Coal Board may authorise another person—
- (a) to attend in his stead at meetings of the authority, or of any committee appointed under this Schedule of which he is also a member, and
 - (b) to exercise on his behalf all or any of his rights as a member of the authority or committee ;
- and, in relation to such a member, paragraph 5(1)(d) of this Schedule shall have effect accordingly.
- (2) Any authority given under the preceding sub-paragraph shall be in writing, and may be given in respect of a particular meeting or in respect of all meetings until it expires or is revoked.
- 17 (1) Subject to the following provisions of this paragraph, the provisions of subsections (1) to (7) of section 76 of the Local Government Act 1933 (which relates to the disability of members of local authorities for voting on any question with respect to contracts, proposed contracts or other matters in which they have a pecuniary interest) shall apply in relation to members of a river authority, or of any committee appointed under this Schedule, as those provisions apply in relation to members of local authorities.
- (2) In their application by virtue of this paragraph, the said provisions shall have effect as if, for the references therein to meetings of the local authority and the clerk of that authority, there were substituted respectively—
- (a) in relation to members of a river authority, or of any committee appointed by a river authority under paragraph 11 of this Schedule, references to meetings of the river authority or, as the case may be, of the committee, and to the clerk of the river authority, and
 - (b) in relation to members of any joint committee, references to meetings of the committee, and to the clerk of the committee.
- (3) Where a member of any committee appointed under paragraph 11 of this Schedule is not a member of the river authority by which the committee was appointed, the power conferred on him by subsection (5) of the said section 76, as applied by this paragraph, to inspect the book to be kept under that subsection shall be limited to an inspection of the entries in the book relating to members of the committee.
- (4) Without prejudice to the proviso to subsection (1) of the said section 76 (which limits the disabilities imposed by that section), that section shall not by virtue of this paragraph apply—
- (a) to any interest which a member of a river authority or committee may have in the preparation or revision of a charging scheme or in the raising of any drainage rates or the levying of any general or special drainage charges, or
 - (b) to any interest in any other matter which such a member may have as the holder of, or as an applicant or prospective applicant for, a licence under this Act, where it is an interest which he has in common with all other holders of, or applicants or prospective applicants for, such licences, or in common with all other persons belonging to a class of such holders, applicants or prospective applicants.

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- (5) The Ministers may, subject to such conditions as they may think fit to impose, remove any disability imposed by the said section 76 in its application by virtue of this paragraph—
- (a) in any case in which the number of members of a river authority or committee so disabled at any one time would, in the opinion of the Ministers, be so great a proportion of the whole as to impede the transaction of business, or
 - (b) in any other case in which, in the opinion of the Ministers, it is in the interest of the inhabitants of the river authority area or areas in question that the disability should be removed.
- (6) Rules made under paragraph 15 of this Schedule may provide for the exclusion of a member of the river authority or committee to which they relate from a meeting of the authority or committee during the consideration of any matter in respect of which a disability is imposed on him by the said section 76 in its application by virtue of this paragraph.
- 18 (1) A minute of the proceedings of a meeting of a river authority, or of any committee appointed under this Schedule, purporting to be signed at that or the next ensuing meeting by the chairman of the meeting to the proceedings of which the minute relates, or by the chairman of the next ensuing meeting, shall be evidence of the proceedings, and shall be received in evidence without further proof; and until the contrary is proved, every meeting in respect of the proceedings of which a minute has been so signed shall be deemed to have been duly convened and held, and all the proceedings had at the meeting to have been duly had, and, where the proceedings are the proceedings of a committee, the committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute.
- (2) Subject to the next following sub-paragraph, the minutes of proceedings of meetings of a river authority shall be open to the inspection of any local government elector for any part of the river authority area, on payment of a fee not exceeding one shilling, and any such local government elector may make a copy of, or extracts from, any such minutes.
- In this sub-paragraph "local government elector" means a person registered as a local government elector in a register for the time being in force under the Representation of the People Acts.
- (3) The last preceding sub-paragraph does not apply to any part of such minutes which contains information with respect to any manufacturing process or trade secret obtained in the exercise of powers under this Act.

Authentication of documents

- 19 Any notice or other document which a river authority are required or authorised to give, make or issue by or under this Act or any other enactment may be signed on behalf of the authority by their clerk or by any other officer authorised by them in writing to sign documents of the particular kind or, as the case may be, the particular document; and any document purporting to bear the signature of the clerk of the river authority, or of a person expressed to be duly authorised by them to sign such a document, or that particular document, shall be deemed, until the contrary is proved, to be duly given, made or issued by authority of the river authority.

In this paragraph the expression "signature" includes a facsimile of a signature by whatever process reproduced.

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Officers and servants

- 20 A river authority shall appoint such officers and servants as the authority think fit.
- 21 (1) A person shall, so long as he is, and for twelve months alter he ceases to be, a member of a river authority, be disqualified for being appointed as a paid officer or servant of the authority.
- (2) For the purposes of the preceding sub-paragraph, a person shall not be regarded as a paid officer or servant of a river authority by reason only that expenses incurred by him in the performance of his duties are defrayed by the authority.
- 22 Section 119 of the Local Government Act 1933 (which provides for the taking of security by a local authority in respect of any officer employed by them and any other person likely to be entrusted with money or property "belonging to them") shall have effect as if references therein to a local authority, and to officers employed by a local authority, included respectively references to a river authority and to officers and servants appointed by a river authority.
- 23 Section 120 of the said Act of 1933 (which relates to the accountability of officers of local authorities) shall have effect in relation to any officer or servant appointed by a river authority as it has effect in relation to officers employed by local authorities, subject to the necessary modifications and, in particular, with the omission in subsection (2) of that section of the words from " to the treasurer " to " or otherwise "
- 24 Section 123 of the said Act of 1933 (which requires an officer of a local authority to disclose his interest in any contract of the authority) shall have effect in relation to any officer or servant appointed by a river authority as it has effect in relation to officers employed by local authorities, subject to the necessary modifications and, in particular, as if the reference in subsection (1) of that section to subsections (2) and (3) of section 76 of that Act were a reference to those subsections as applied by paragraph 17 of this Schedule, and the reference in subsection (4) thereof to a joint committee appointed under Part III of that Act were a reference to a joint committee appointed under paragraph 12 of this Schedule.

Remuneration and expenses

- 25 (1) The Ministers may, if they think fit, authorise a river authority to pay to the chairman of the authority by way of remuneration such sum as the Ministers think fit.
- (2) A river authority shall pay to their officers and servants such salaries or other remuneration as the authority think fit.
- 26 (1) A river authority may defray—
- (a) any reasonable expenses incurred by members of the authority, or of any committee thereof, in attending a conference or meeting convened by one or more river authorities, or by any association of river authorities or other organisation to whose activities the river authority are empowered by this Schedule to contribute, for the purpose of discussing any matter connected with the discharge of the functions of river authorities;
 - (b) any reasonable expenses incurred in contributing towards the cost, or purchasing reports of the proceedings, of any such conference or meeting;
 - (c) subject to the next following sub-paragraph, any travelling or other expenses properly incurred by or on behalf of any members of the authority in making

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official or courtesy visits (whether inside or outside the United Kingdom) on behalf of the authority ;

- (d) any expenses incurred in the reception and entertainment by way of official courtesy of—
 - (i) distinguished persons residing in the area of the river authority, or visiting that area or any works outside that area operated by the river authority, or
 - (ii) persons representative of, or connected with, other river authorities or similar services, whether inside or outside the United Kingdom, or in the supply of information to any such persons ;
- (e) any reasonable expenses incurred in connection with ceremonies connected with the performance by the river authority of any of their functions.

- (2) The amount defrayed by a river authority under head (c) of the preceding subparagraph in respect of expenses incurred by a member of the authority in connection with a visit within the United Kingdom shall not exceed the payments which the member would have been entitled to receive by way of travelling allowance or subsistence allowance under section 113 of the Local Government Act 1948, if the making of the visit had been an approved duty of the member within the meaning of that section.

Expenses and accounts of joint committees

- 27 (1) The expenses incurred by a joint committee appointed under paragraph 12 of this Schedule shall be defrayed by the river authorities by whom the committee as appointed in such proportions as they may agree upon or, in case of disagreement, as may be determined by the Ministers.
- (2) The accounts of any such committee shall be made up yearly to the end of March, and shall be subject to audit by a district auditor.

Arrangements for handling receipts and payments

- 28 Every river authority shall make safe and efficient arrangements for the receipt of moneys paid to them and the issue of moneys payable by them, and those arrangements shall be carried out under the supervision of an officer designated by the authority for that purpose.

Power to promote and oppose legislation

- 29 A river authority, or two or more river authorities acting jointly, may promote or oppose Bills in Parliament, or may apply for or oppose applications for orders, byelaws, schemes or awards to be made under any Act.

Appearance in legal proceedings

- 30 Section 277 of the Local Government Act 1933 (which relates to the appearance of local authorities in legal proceedings) shall have effect in relation to a river authority as it has effect in relation to a local authority within the meaning of that Act.

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Contracts of river authorities

- 31 (1) A river authority may enter into contracts necessary for the performance of any of their functions.
- (2) All contracts made by a river authority, or by a committee of a river authority, shall be made in accordance with the rules of the authority, and, in the case of contracts for the supply of goods or materials or for the execution of works, the rules shall—
- (a) require that, except as otherwise provided by or under the rules, notice of the intention of the authority or committee, as the case may be, to enter into the contract shall be published and tenders invited, and
 - (b) regulate the manner in which such notice shall be published and tenders invited.
- (3) A person entering into a contract with a river authority or a committee of a river authority shall not be bound to inquire whether the rules of the authority which apply to the contract have been complied with; and all contracts entered into by a river authority or such a committee, if otherwise valid, shall have full force and effect notwithstanding that the rules applicable thereto have not been complied with.

Subscriptions to associations, and contributions for research

- 32 A river authority may pay reasonable subscriptions, whether annually or otherwise, to the funds—
- (a) of any association of river authorities formed for the purpose of consultation as to the common interests of river authorities and the discussion of matters connected with the performance of functions of river authorities ;
 - (b) of such associations of officers of river authorities, being associations formed for the purpose mentioned in the preceding sub-paragraph, as may be approved by the Ministers,
- and may make reasonable contributions for furthering research in matters with which river authorities and their officers are concerned.

Trustee Investments Act 1961

- 33 Any river authority which, apart from this paragraph, would not be included among the authorities to which paragraph 9 of Part II of Schedule 1 to the Trustee Investments Act 1961 applies shall by virtue of this Act be included among those authorities.

SCHEDULE 5

Section 10.

ORDERS ALTERING RIVER AUTHORITY AREAS

- 1 Before making an order under section 10 of this Act, the Ministers shall consult with such persons, or bodies representative of persons, as they consider it appropriate to consult at that stage, and shall then prepare a draft order, and cause notice of their intention to make the order, and of the place where copies of the draft order, and of any map to which it refers, may be inspected and obtained, and of the time (not being less than twenty-eight days) within which, and the manner in which,

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objections to the draft order may be made, to be published in the London Gazette, and in such other manner as they think best adapted for informing persons affected.

2 The Ministers shall also, before making any such order, cause copies of the notice referred to in the preceding paragraph to be served as follows, that is to say—

- (a) in the case of an order in which it is proposed to designate a new river authority area or to alter one or more river authority areas, copies of the notice shall be served on any river authority whose area is proposed to be altered, on every local authority whose area is wholly or partly included in any relevant area, and on every other authority known by the Ministers to be exercising within any relevant area functions corresponding to the new functions of river authorities, or functions with respect to land drainage, fisheries, river pollution, navigation or harbours;
- (b) in the case of an order by which it is proposed to vary an order previously made under section 10 of this Act, but without designating any new river authority area and without altering any river authority area, copies of the notice shall be served on the river authority to whom the order will relate, on every local authority whose area is wholly or partly included in the area of that river authority, and on every other authority known to the Ministers to be exercising within that river authority area functions with respect to land drainage, navigation or harbours.

In sub-paragraph (a) of this paragraph " any relevant area ", in relation to an order, means any river authority area which is proposed to be altered by the order and any area which is not for the time being comprised in a river authority area but is proposed to be comprised in a river authority area (whether a new river authority area or not) by virtue of the order.

3 Before making any such order, the Ministers shall consider any objections which may be duly made to the draft order, and may if they think fit cause a local inquiry to be held with respect to any such objections ; and in making the order the Ministers may make such modifications in the terms of the draft as appear to them desirable.

4 (1) Where sub-paragraph (a) of paragraph 2 of this Schedule applies, and an objection has been duly made by any body on whom notice is required to be served under that sub-paragraph and has not been withdrawn, then if the order is made the Ministers shall serve notice of the making of the order on every such body who has duly made an objection which has not been withdrawn.

(2) Where a notice is required to be served under the preceding sub-paragraph, the order shall not have effect before the expiry of a period of twenty-eight days from the date of service of that notice; and if within that period any such body gives notice to either of the Ministers objecting to the order, and the objection is not withdrawn, the order shall be subject to special parliamentary procedure.

5 After making an order under section 10 of this Act the Ministers shall publish in the London Gazette, and in such other manner as they think best adapted for informing persons affected, a notice stating that the order has been made and naming a place where a copy of the order may be seen at all reasonable hours:

Provided that, in the case of an order to which sub-paragraph (1) of the last preceding paragraph applies, the notice shall not be published until the expiry of the period of twenty-eight days referred to in sub-paragraph (2) of that paragraph, and shall state whether or not the order is to be subject to special parliamentary procedure.

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- 6 (1) Subject to the next following sub-paragraph, if any person desires to question the validity of an order under the said section 10 on the ground that it is not within the powers of this Act, or that any requirement of this Act has not been complied with, he may, within six weeks after the first publication of the notice required by the last preceding paragraph, make an application for the purpose to the High Court; and if any such application is duly made, the court, if satisfied that the order is not within the powers of this Act or that the interests of the applicant have been substantially prejudiced by any requirements of this Act not having been complied with, may quash the order either generally or in so far as it affects the applicant.
- (2) The preceding sub-paragraph shall not apply to any order which is confirmed by Act of Parliament under section 6 of the Statutory Orders (Special Procedure) Act 1945, and shall have effect in relation to any other order which is subject to special parliamentary procedure by virtue of the provisions of this Schedule as if, for the reference to the first publication of the notice required by the last preceding paragraph, there were substituted a reference to the date on which the order becomes operative under the said Act of 1945.
- (3) Except as provided by sub-paragraph (1) of this paragraph, the validity of an order under section 10 of this Act shall not either before or after the order has been made, be questioned in any legal proceedings whatsoever.

SCHEDULE 6

Section 13.

WATER RESOURCES BOARD

- 1 The Board shall be a body corporate with perpetual succession and a common seal.
- 2 The quorum of the Board and the arrangements relating to their meetings shall, subject to any directions given by the Minister, be such as the Board may determine.
- 3 The validity of any proceedings of the Board shall not be affected by any vacancy among the members of the Board or by any defect in the appointment of any of the members of the Board.
- 4 The House of Commons Disqualification Act 1957 shall be amended by inserting in Part II of Schedule 1, after the entry relating to the War Works Commission, the words " The Water Resources Board " (but that amendment shall not be made in the provisions substituted for the said Part II by Schedule 3 to that Act in relation to the Senate and House of Commons of Northern Ireland).
- 5 (1) The Board may appoint officers and servants to such number as the Minister may with the consent of the Treasury determine.
- (2) The Minister may pay to any officer or servant of the Board such salary or other remuneration as he may with the consent of the Treasury determine, and such reasonable allowances as may be so determined in respect of expenses properly incurred by the officer or servant in the performance of his duties.

SCHEDULE 7

Sections 19, 20, 21, 25, 59 & 61.

PROCEDURE RELATING TO STATEMENTS OF MINIMUM ACCEPTABLE FLOWS, AND TO CERTAIN ORDERS AND SCHEMES

PART I

Preparation and approval of draft statements, orders and schemes

- 1 In this Part of this Schedule " draft statement" means a draft statement prepared under section 19 or section 20(1)(a) of this Act.
- 2 Before submitting a draft statement to the Minister, the river authority shall publish a notice—
- (a) stating the general effect of the draft statement;
 - (b) specifying a place in the river authority area where a copy of the draft statement and of any relevant map or plan may be inspected by any person free of charge at all reasonable times during the period of twenty-eight days beginning with the date of first publication of the notice; and
 - (c) stating that any person may within that period, by notice in writing to the Minister, object to the approval of the statement.
- 3 A notice under the last preceding paragraph shall be published ether—
- (a) at least once in each of two successive weeks in one or more newspapers circulating in the river authority area, or
 - (b) in any other manner which, in any particular case, may be certified by the Minister to be expedient in that case.
- 4 Not later than the date on which the notice is first published in pursuance of the last preceding paragraph, the river authority shall serve a copy of the notice on—
- (a) every local authority whose area comprises any inland water to which the draft statement relates;
 - (b) any statutory water undertakers having the right to abstract water from any such inland water;
 - (c) any other statutory water undertakers who were consulted in relation to the draft statement in pursuance of paragraph (b) of section 19(4) of this Act (including that paragraph as applied by any other provision of Part III of this Act);
 - (d) any internal drainage board whose district comprises any such inland water or from whose district water is discharged into any such inland water ;
 - (e) any navigation authority, harbour authority or conservancy authority having functions in relation to any such inland water, or, where any such inland water is a tidal water and there is no such authority, the Minister of Transport;
 - (f) any navigation authority, harbour authority or conservancy authority having functions in relation to any other inland water, where it appears to the river authority that changes in the flow of an inland water to which the draft statement relates may affect the flow of that other inland water, or, 'if that other inland water is a tidal water and there is no such navigation authority, harbour authority or conservancy authority, the Minister of Transport;

- (g) every person who has given notice to the river authority requesting them to notify him of action taken in connection with the determination of a minimum acceptable flow for an inland water to which the draft statement relates, and, if the river authority have required him to pay a reasonable charge for being so notified, has paid that charge; and
 - (h) the Central Electricity Generating Board.
- 5 The river authority shall also publish a notice in the London Gazette stating that the draft statement has been submitted to the Minister, naming the areas of local authorities which comprise any inland waters to which the draft statement relates, specifying a place where a copy of the draft statement and of any relevant map or plan may be inspected, and (where the notice required by paragraph 2 of this Schedule is published in a newspaper) giving the name of the newspaper and the date of an issue containing the notice.
- 6 The river authority shall, at the request of any person, furnish him with a copy of the draft statement on payment of such charge, not exceeding two shillings, as the river authority think reasonable.
- 7 The Minister may approve the statement either in the form of the draft or in that form as altered in such manner as he thinks fit; but where he proposes to make any alteration, and considers that any persons are likely to be adversely affected by it, the river authority shall give and publish such additional notices, and in such manner, as the Minister may require.
- 8 If before the end of the period of twenty-eight days referred to in paragraph 2 of this Schedule, or of twenty-five days from the publication in the London Gazette of the notice under paragraph 5 of this Schedule, or of any period specified in notices under the last preceding paragraph, notice in writing of an objection as received by the Minister from any person on whom a notice is required by this Schedule to be served, or from any other person appearing to the Minister to be affected by the statement, either as prepared in draft or as proposed to be altered, and the objection is not withdrawn, the Minister, before approving the statement, shall either—
 - (a) cause a local inquiry to be held, or
 - (b) afford to the objector and to the river authority an opportunity of appearing before, and being heard by, a person appointed by the Minister for the purpose.
- 9 Where a statement is approved under this Schedule, whether in the form of the draft proposed by the river authority or with alterations, the Minister shall give notice to the river authority—
 - (a) stating that the statement has been approved, either without alteration or with alterations specified in the notice, and
 - (b) specifying the date (not being earlier than twenty-eight days after the date of the notice under this paragraph) on which the statement shall have effect;and the river authority shall forthwith publish the notice and shall keep a copy of the statement as approved under this Schedule available at their offices for inspection by the public, free of charge, at all reasonable times.

PART II

Proposals for amending statements

- 10 Paragraphs 2 to 6 of this Schedule shall have effect in relation to proposals prepared by a river authority under section 20(1)(b) of this Act as they have effect in relation to a draft statement within the meaning of Part I of this Schedule, subject to the modification that, in sub-paragraph (c) of the said paragraph 2, for the reference to the approval of the draft statement there shall be substituted a reference to the amendment, in accordance with the proposals, of the statement of minimum acceptable flows to which the proposals relate.
- 11 The Minister may amend the statement of minimum acceptable flows to which any such proposals relate either in accordance with the proposals as submitted by the river authority or in accordance with the proposals as altered in such manner as he thinks fit; but where he proposes to alter any such proposals, and considers that any persons are likely to be adversely affected by the alteration, the river authority shall give and publish such additional notices, and in such manner, as the Minister may require.
- 12 If before the end of the period of twenty-eight days beginning with the date of first publication of the notice under paragraph 2 of this Schedule relating to the proposals, or of twenty-five days from the publication in the London Gazette of the notice relating thereto under paragraph 5 of this Schedule, or of any period specified in notices under 'the last preceding paragraph, notice in writing of an objection is received by the Minister from any person on whom a notice is required by this Schedule to be served, or from any other person appearing to the Minister to be affected by the proposals, either as submitted to him or as proposed to be altered, and the objection is not withdrawn, the Minister, before amending the statement of minimum acceptable flows to which the proposals relate, shall either—
- (a) cause a local inquiry to be held, or
 - (b) afford to the objector and to the river authority an opportunity of appearing before, and being heard by, a person appointed by the Minister for the purpose.
- 13 Where a statement of minimum acceptable flows is amended under this Schedule, whether or not in accordance with the proposals submitted by the river authority, the Minister shall give notice to the river authority—
- (a) stating that the statement has been amended, either in accordance with the proposals as submitted or in accordance with those proposals as altered in the manner specified in the notice, and
 - (b) specifying the date (not being earlier than twenty-eight days after the date of the notice under this paragraph) on which the amendment shall take effect;
- and the river authority shall forthwith publish the notice and shall keep a copy of the statement as amended under this Schedule available at their offices for inspection by the public, free of charge, at all reasonable times.

PART III

Procedure for purposes of section 21

- 14 The provisions of Part I of this Schedule, except paragraph 1 thereof, shall have effect with respect to any draft statement submitted to the Minister under section 21(1) of this Act, subject to the following modifications:—
- (a) except in paragraph 4(g) and paragraph 9 of this Schedule, any reference to the river authority, unless the reference is to the river authority area, shall be construed as a reference to the Water Resources Board ;
 - (b) in paragraph 9 of this Schedule, the first reference to the river authority shall be construed as a reference to the Water Resources Board and the second such reference shall be construed as a reference to the river authority and the Board;
 - (c) the river authority shall be included among the bodies on whom, under paragraph 4 of this Schedule, a copy of the notice is required to be served.
- 15 (1) This paragraph applies to any proposals of the Minister for amending a statement in accordance with section 21 (3) of this Act.
- (2) The Minister shall give notice of the proposals to the river authority ; and the river authority shall publish such a notice as the Minister may require—
- (a) stating the general effect of the proposals ;
 - (b) specifying a place in the river authority area where a copy of the proposals and of any relevant map or plan may be inspected by any person free of charge at all reasonable times during the period of twenty-eight days beginning with the date of first publication of the notice; and
 - (c) stating that any person may within that period, by notice in writing to the Minister, object to the amendment, in accordance with the proposals, of the statement of minimum acceptable flows to which the proposals relate.
- (3) Paragraphs 3 to 6 of this Schedule shall have effect in relation to any proposals to which this paragraph applies as they have effect in relation to a draft statement within the meaning of Part I of this Schedule, subject to the modification that in paragraph 5, for the words " draft statement has been submitted to", there shall be substituted the words " proposals have been prepared by ".
- (4) Paragraphs 11 to 13 of this Schedule shall have effect with respect to any proposals to which this paragraph applies, subject to the modification that any reference to the proposals as submitted to the Minister shall be construed as a reference to the proposals as prepared by the Minister.
- (5) In any provision of Part I or Part II of this Schedule as applied by this paragraph, any reference to paragraph 2 of this Schedule shall be construed as a reference to sub-paragraph (2) of this paragraph.

PART IV

Joint action by Ministers in certain cases

- 16 For the purposes of this Part of this Schedule—

- (a) a case falls within this sub-paragraph if, in accordance with paragraph 8 or paragraph 12 of this Schedule, as applied by section 19 or section 20 of this Act or by Part III of this Schedule, an objection is received by the Minister from any navigation authority, harbour authority or conservancy authority required by this Act to be consulted before the preparation of the draft statement or the submission of the proposals, as the case may be;
 - (b) a case falls within this sub-paragraph if either-
 - (i) in accordance with paragraph 8 or paragraph 12 of this Schedule as so applied, an objection is received by the Minister from any internal drainage board whose district comprises any inland water to which the draft statement relates or the proposals relate, as the case may be or from whose district water is discharged into such an inland water; or
 - (ii) in accordance with either of those paragraphs as so applied, an objection is received by the Minister from an association or person claiming to represent a substantial fishery interest which is affected by the statement or the proposals, as the case may be, and it is certified to the Minister by the Minister of Agriculture, Fisheries and Food that the association or person in question appears to the last-mentioned Minister to represent such an interest;
 - (c) a case falls within this sub-paragraph if it is the case of an order under section 25 of this Act and either—
 - (i) in accordance with paragraph 8 of this Schedule as applied by that section, an objection is received by the Minister from any navigation authority, harbour authority or conservancy authority having functions in relation to an inland water to which the order relates (either as prepared in draft or as proposed to be altered), or
 - (ii) the order (either as prepared in draft or as proposed to be altered) relates to a tidal water in respect of which there is no relevant authority for the purposes of that section other than the river authority.
- 17 (1) In any case falling within any sub-paragraph of the last preceding paragraph, paragraphs 7 to 9 or paragraphs 11 to 13 of this Schedule, as the case may be, shall apply as if for any reference to the Minister, except in the words "an objection is received by the Minister ", there were substituted a reference to the Ministers.
- (2) In this paragraph " the Ministers "—
- (a) in relation to a case falling within sub-paragraph (a) or sub-paragraph (c), but not falling within sub-paragraph (b), of the last preceding paragraph, means the Minister and the Minister of Transport acting jointly;
 - (b) in relation to a case falling within sub-paragraph (b), but not within sub-paragraph (a), of the last preceding paragraph, means the Minister and the Minister of Agriculture, Fisheries and Food acting jointly; and
 - (c) in relation to a case falling within both sub-paragraph (a) and sub-paragraph (b) of the last preceding paragraph, means the Minister, the Minister of Transport and the Minister of Agriculture, Fisheries and Food acting jointly.

SCHEDULE 8

Section 67.

ORDERS AUTHORISING EXECUTION OF WORKS

PART I

General provisions

- 1 Where a river authority apply to the Minister for an order under section 67 of this Act, the authority shall submit to the Minister a draft of the order, and shall publish at least once in each of two successive weeks, in one or more newspapers circulating in the locality where the engineering or building operations are to be carried out, a notice—
 - (a) stating the general effect of the order as prepared in draft;
 - (b) specifying a place in the river authority area where a copy of the draft order and of any relevant map or plan may be inspected by any person free of charge at all reasonable times during the period of twenty-eight days beginning with the date of the first publication of the notice ; and
 - (c) stating that any person may, within that period, by notice in writing to the Minister object to the making of the order.
- 2 Not later than the date on which the notice is first published in pursuance of the preceding paragraph, the river authority shall serve a copy of the notice—
 - (a) on every local authority within whose area any of the engineering or building operations are to be carried out, and
 - (b) on every owner, lessee or occupier (except tenants for a month or for any period less than a month and statutory tenants within the meaning of Part II of the Housing Repairs and Rents Act 1954) of any land in relation to which compulsory powers (other than powers of compulsory acquisition) would become exercisable by the river authority if an order were made in the terms of the draft submitted by them.
- 3 The river authority shall also publish a notice in the London Gazette stating that the draft order has been submitted to the Minister, naming every local authority on whom a notice is required to be served under the last preceding paragraph, specifying a place where a copy of the draft order and of any relevant map or plan may be inspected, and giving the name of the newspaper in which the notice under paragraph 1 of this Schedule was published and the date of an issue containing the notice.
- 4 The river authority shall, at the request of any person, furnish him with a copy of the draft order on payment of such charge, not exceeding two shillings, as the river authority think reasonable.
- 5 The Minister may make the order either in the terms of the draft order or in those terms as altered in such manner as he thinks fit; but where he proposes to make any alteration, and considers that any persons are likely to be adversely affected by it, the river authority shall give and publish such additional notices, and in such manner, as the Minister may require.
- 6 If before the end of the period of twenty-eight days referred to in paragraph 1 of this Schedule, or of twenty-five days from the publication in the London Gazette of the notice under paragraph 3 of this Schedule, or of any period specified in notices

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under the last preceding paragraph, notice in writing of an objection is received by the Minister from any person on whom a notice is required to be served under this Schedule, or from any other person appearing to the Minister to be affected by the order as prepared in draft or as proposed to be altered, and the objection is not withdrawn, the Minister, before making the order, shall either—'

- (a) cause a local inquiry to be held, or
- (b) afford to the objector and to the river authority an opportunity of appearing before, and being heard by, a person appointed by the Minister for the purpose.

7 In respect of any compulsory powers conferred by the order, other than powers of compulsory acquisition, compensation shall be payable in accordance with subsections (3) and (4) of section 66 of this Act, as if in those subsections—

- (a) any reference to the acquisition of the new right were a reference to the coming into operation of the order in so far as it confers those compulsory powers;
- (b) any reference to the servient land were a reference to the land in respect of which those powers are exercisable by virtue of the order; and
- (c) any reference to the relevant date were a reference to the date on which the order comes into operation;

and subsections (5) to (7) of section 46 of this Act shall have effect in relation to compensation payable by virtue of this paragraph as they have effect in relation to compensation payable under that section.

PART II

Orders conferring powers of compulsory acquisition

8 The persons on whom, under paragraph 2 of this Schedule, a copy of the notice referred to in that paragraph is required to be served shall include every owner, lessee or occupier (except tenants for a month or for any period less than a month and statutory tenants within the meaning of Part II of the Housing Repairs and Rents Act 1954) of any land comprised in the draft order as land authorised to be compulsorily acquired or land in or over which an interest or right is authorised to be compulsorily acquired, in so far as any such owner, lessee or occupier would not be included apart from this paragraph.

9 Where any objection received by the Minister under paragraph 6 of this Schedule relates to any powers of compulsory acquisition, the Minister may require the objector to state in writing the grounds of his objection; and if the Minister is satisfied that the objection relates exclusively to matters that can be dealt with in the assessment of compensation, he may disregard the objection for the purposes of paragraph 6 of this Schedule.

10 Notwithstanding anything in paragraph 5 of this Schedule, the order shall not, unless all interested parties consent, confer on the river authority powers to acquire compulsorily any land, interest or right which they would not have been empowered to acquire by virtue of the order if the order had been made in the terms of the draft submitted by them.

11 Part III of Schedule 1 to the Act of 1946 (which makes special provision with respect to land of local authorities and statutory undertakers, common land,

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- inalienable land of the National Trust and ancient monuments) shall apply to the order as it applies to a compulsory purchase order within the meaning of that Act.
- 12 (1) Subject to the following provisions of this paragraph, the Lands Clauses Acts shall be incorporated with section 67 of this Act in relation to the acquisition of any land, interest or right in the exercise of a power conferred by the order.
- (2) The provisions of Part I of Schedule 2 to the Act of 1946 (which specify certain exceptions and modifications subject to which the Lands Clauses Acts are (to be incorporated with any enactment by virtue of that Act) shall have effect with respect to the incorporation of those Acts with section 67 of this Act as if they were incorporated with that section by virtue of the Act of 1946, and as if the order were a compulsory purchase order made in accordance with the provisions of Schedule 1 to that Act.
- (3) The Lands Clauses Acts as so incorporated shall have effect subject to such further exceptions and modifications (if any) as may be specified in the order, and subject also to the provisions (where applicable) of paragraphs 13 and 14 of this Schedule.
- (4) Part II of Schedule 2 to the Act of 1946 (which provides for the incorporation of certain provisions of the Railways Clauses Consolidation Act 1845) shall have effect in relation to the order as if the order were a compulsory purchase order made in accordance with the provisions of Schedule 1 to the Act of 1946.
- (5) In relation to the acquisition of any land, interest or right in the exercise of a power conferred by the order, the Land Compensation Act 1961 shall have effect subject to the modification of that Act specified in Part III of Schedule 2 to the Act of 1946, and to such exceptions and further modifications (if any) as may be specified in the order, and to the provisions (where applicable) of paragraphs 13 and 14 of this Schedule.
- 13 (1) The provisions of this paragraph shall have effect with respect to the acquisition, in the exercise of any powers of compulsory acquisition conferred by the order, of an interest in or right over land by way of the creation of a new interest or right.
- (2) Subsections (2) to (5) of section 66 of this Act shall apply as they apply in relation to the acquisition of a new interest or right in the exercise of the powers conferred by section 65 of this Act.
- (3) The provisions of the last preceding paragraph shall have effect subject to any regulations made under subsection (6) of section 66 of this Act; and different provision may be made under that subsection according to whether the acquisition is under section 65 or section 67 of this Act.
- 14 Where, in connection with the engineering or building operations to which the order relates, a licence under Part IV of this Act is granted (or is deemed to be granted) to the river authority to abstract water or to obstruct or impede the flow of an inland water, no compensation shall be payable under section 68 of the Lands Clauses Consolidation Act 1845 in respect of any land or interest injuriously affected by the carrying out of those operations, in so far as that land or interest is injuriously affected by the abstraction of water, or the obstruction or impeding of the flow, in accordance with the provisions of the licence..
- 15 As soon as may be after the order has been made, the river authority shall publish, in one or more newspapers circulating in the locality where the land in respect of which the powers of compulsory acquisition are conferred is situated, a notice describing that land and stating that the order has been made conferring powers of compulsory acquisition in respect of that land, and naming a place where a

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copy of the order as made may be inspected at all reasonable hours, and the river authority shall serve a like notice and copy of the order on every such owner, lessee or occupier as is mentioned in paragraph 8 of this Schedule.

16 (1) Subject to the provisions of sub-paragraph (5) of this paragraph, if any person aggrieved by the order, or by a certificate under the special land provisions, desires to question—

- (a) the validity of the order, or of any provision of the order, on the grounds that any powers of compulsory acquisition conferred by the order are not authorised by section 67 of this Act to be so conferred, or that any of the relevant requirements have not been complied with in relation to the order, or
- (b) the validity of the certificate, on the grounds that any of the relevant requirements have not been complied with in relation to the certificate,

he may, at any time before the end of the period of six weeks beginning with the date on which notice of the making of the order is first published in accordance with the last preceding paragraph or, as the case may be, notice of the giving of the certificate is first published in accordance with the special land provisions, make an application for the purpose to the High Court.

(2) On any application under this paragraph, the High Court—

- (a) may by interim order suspend the operation of the order, or any provision of the order, or of the certificate, either generally or in so far as it affects any property of the applicant, until the final determination of the proceedings ;
- (b) if satisfied that any powers of compulsory acquisition conferred by the order are not authorised by section 67 of this Act to be so conferred, or that the interests of the applicant have been substantially prejudiced by a failure to comply with any of the relevant requirements in relation to the order or the certificate, may quash the order, or any provision of the order, or the certificate, either generally or in so far as it affects any property of the applicant.

(3) Except as provided by the preceding provisions of this paragraph, the validity of—

- (a) the order, in so far as it confers any powers of compulsory acquisition, or
- (b) any certificate given in connection with the order under the special land provisions,

shall not, either before or after the order or certificate has been made or given, be questioned in any legal proceedings whatsoever.

(4) Subject to the preceding provisions of this paragraph, the order (except where it is subject by virtue of the special land provisions to special parliamentary procedure) and any certificate given in connection with the order under the special land provisions shall become operative on the date on which notice of the making or giving thereof is published as mentioned in sub-paragraph (1) of this paragraph.

(5) Where the order is subject to special parliamentary procedure, sub-paragraphs (1) to (3) of this paragraph—

- (a) shall not apply to the order if it is confirmed by Act of Parliament under section 6 of the Statutory Orders (Special Procedure) Act 1945, and
- (b) in any other case, shall have effect as if the reference in sub-paragraph (1) of this paragraph to the date on which notice of the making of the order is published as therein mentioned were a reference to the date on which the order becomes operative under the said Act of 1945.

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- (6) In this paragraph " the special land provisions" means the provisions of Part III of Schedule 1 to the Act of 1946 as applied by virtue of this Schedule, and " the relevant requirements", in relation to an order or certificate, means any requirements of this Schedule or of the special land provisions which are applicable to that order or certificate.
- 17 In this Part of this Schedule "the Act of 1946 " means the Acquisition of Land (Authorisation Procedure) Act 1946.

SCHEDULE 9

Section 69.

APPLICATION OF PROVISIONS OF SCHEDULE 3 TO WATER ACT 1945

- 1 The provisions of Schedule 3 to the Water Act 1945 referred to in section 69(3) of this Act shall, in their application to any river authority by virtue of that subsection, have effect as if for any reference therein to undertakers, or the limits of supply of undertakers, there were substituted a reference to the river authority or, as the case may be, the area of that authority.
- 2 The said provisions, as so applying, shall be further modified, by the omission—
- (a) in section 12 (1), of the words " after this section is incorporated with their enactments " and the words from " In this subsection " to the end ;
 - (b) in section 14 (2), of the words " as if the special Act had not been passed " ;
 - (c) in section 16 (1), of the words from " or by reason of their being worked " to " special Act" ;
 - (d) in section 22, of the words " service pipes " ;
 - (e) in section 67, of paragraph (b), the words " and thereby causes the supply of water to be interfered with ", and the proviso;
 - (f) in section 68 (1), of the words from " or to a supply pipe " to " attached to a supply pipe ".

SCHEDULE 10

Section 82.

ORDERS TRANSFERRING FUNCTIONS OR PROPERTY OF OTHER AUTHORITIES AND UNDERTAKINGS

- 1 Before determining whether to make an order on an application under section 82 of this Act, the Ministers shall consult the body (other than the applicants) to or from whom any functions or property are proposed in the application to be transferred, and shall consider any representations made by that body with respect to the application.
- 2 If the Ministers propose to make an order on the application, they shall prepare a draft order, and shall cause notice of their intention to make an order, and of the place where copies of the draft order, and of any map to which it refers, may be inspected and obtained, and of the time (not being less than twenty-eight days) within which, and the manner in which, objections to the draft order may be made—
- (a) to be published in the London Gazette, and in such other manner as they think best adapted for informing persons affected, and

- (b) to be served on the bodies to or from whom any functions or property are proposed to be transferred, and on any other body, being a navigation authority, conservancy authority, harbour authority or statutory water undertakers, appearing to the Ministers to be affected by the proposals.
- 3 Before making any order on the application, the Ministers shall consider any objections which may be duly made to the draft order, and may if they think fit cause a local inquiry to be held with respect to any such objections; and in making the order the Ministers may make such modifications in the terms of the draft as appear to them desirable.
- 4 (1) After making such an order, the Ministers shall, if an objection has been duly made by any body on whom notice is required to be served under paragraph 2 of this Schedule and has not been withdrawn, serve notice of the making of the order and the effect thereof on every such body who has duly made objection which has not been withdrawn.
- (2) Where a notice is required to be served under the preceding sub-paragraph, the order shall not have effect before the expiry of a period of twenty-eight days from the date of service of that notice ; and if within that period any such body gives notice to either of the Ministers objecting to the order, and the objection is not withdrawn, the order shall be subject to special parliamentary procedure.
- 5 After making the order, the Ministers shall publish in the London Gazette, and in such other manner as they think best adapted for informing persons affected, a notice stating that the order has been made, and naming a place where a copy thereof may be seen at all reasonable hours :
- Provided that, in the case of an order to which sub-paragraph (1) of the last preceding paragraph applies, the notice shall not be published until the expiry of the period of twenty-eight days referred to in sub-paragraph (2) of that paragraph, and shall state whether or not the order is to be subject to special parliamentary procedure.
- 6 (1) Subject to the next following sub-paragraph, if any person aggrieved by an order under section 82 of this Act desires to question its validity on the ground that it is not within the powers of this Act, or that any requirement of this Act has not been complied with in relation to the order, he may, within six weeks after the first publication of the notice required by the last preceding paragraph, make an application for the purpose to the High Court; and if any such application is duly made, the court, if satisfied that the order is not within the powers of this Act or that the interests of the applicant have been substantially prejudiced by any requirements of this Act not having been complied with, may quash the order either generally or in so far as it affects the applicant.
- (2) The preceding sub-paragraph shall not apply to any order which is confirmed by Act of Parliament under section 6 of the Statutory Orders (Special Procedure) Act 1945, and shall have effect in relation to any other order which is subject to special parliamentary procedure by virtue of the provisions of this Schedule as if, for the reference to the first publication of the notice required by the last preceding paragraph, there were substituted a reference to the date on which the order becomes operative under the said Act of 1945.
- (3) Except as provided by sub-paragraph (1) of this paragraph, the validity of an order under section 82 of this Act shall not, either before or after the order has been made, be questioned in any legal proceedings whatsoever.

- 7 The costs incurred by the Ministers in connection with the making and notification of an order under section 82 of this Act, including any costs incurred in relation to any such order under the Statutory Orders (Special Procedure) Act 1945, shall be paid by the applicants for the order, and, if there are two or more applicants, the Ministers may apportion the costs between them; and the Ministers may require any applicants to give security for the payment of any costs payable by them under this paragraph.
- 8 In relation to an application for, or the making of, an order transferring to a river authority any functions or property of a navigation authority, conservancy authority or harbour authority, " the Ministers" in this Schedule means the Minister, the Minister of Agriculture, Fisheries and Food and the Minister of Transport (and, in the case of anything falling to be done by the Ministers, those Ministers acting jointly) and paragraph 4 (2) of this Schedule shall have effect as if for the words " ether of the Ministers " there were substituted the words " any of the Ministers. "

SCHEDULE 11

Section 87 & 92.

TRANSITIONAL PROVISIONS RELATING TO PRECEPTS
AND BORROWING POWERS OF RIVER AUTHORITIES**PART I***Precepts*

- 1 (1) Notwithstanding anything contained in section 3(4)(b) of this Act, the duty imposed on river authorities by section 87(3) of this Act shall apply in relation to the financial year beginning on the second appointed day as it applies in relation to any subsequent financial year ; and the power of river authorities to issue precepts under section 86(4) of this Act shall be exercisable accordingly before the second appointed day.
- (2) In relation to the financial year beginning on the second appointed day, section 87 of this Act shall have effect as if, for the purposes of paragraphs (a) and (b) of subsection (1), and subsection (2), of that section, that financial year included the period beginning on the first appointed day and ending immediately before the second appointed day.
- 2 Where by virtue of paragraph 1(2) of this Schedule the aggregate amount required to be raised by precept by a river authority for the financial year beginning on the second appointed day includes expenditure incurred before that day, and the river authority issue precepts for that year under section 87 of this Act, then—
- (a) for the purposes of this paragraph there shall be ascertained what the aggregate amount for which precepts are so issued to the council of each county or county borough would have been if no expenditure incurred before the second appointed day had been so included, and every estimate and apportionment made under that section in respect of that financial year had been reduced accordingly, and
- (b) if, in the case of any such council, precepts of the aggregate amount ascertained under the preceding sub-paragraph would not have exceeded the limit imposed by subsection (6) of that section (or, as the case may be, the limit imposed by subsection (6) as modified by subsection (7) of

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that section), the aggregate amount of the precepts actually issued to that council for that financial year shall be treated as not exceeding that limit.

- 3 The provisions which may be included in an order under section 10 of this Act shall (without prejudice to the generality of subsection (3) of that section or, where applicable, of section 125(4) of this Act) be taken to include provisions modifying section 87 of this Act in its application to any river authority established by the order or in its application to any river authority whose area is altered by the order.

PART II

Borrowing powers

- 4 (1) The power of river authorities under section 92(1) of this Act to borrow temporarily, by way of overdraft or otherwise, such sums as they require for the purpose of defraying expenses pending the receipt of revenues receivable by them shall, notwithstanding anything contained in section 3(4)(b) of this Act, be exercisable during the period beginning on the first appointed day and ending immediately before the second appointed day.
- (2) In relation to the exercise of that power during that period, paragraph (a) of section 92(1) of this Act shall apply as if, for the words from " period of account" to the end of that paragraph, there were substituted the words " financial year beginning on the second appointed day ".

SCHEDULE 12

Section 119.

PROCEDURE RELATING TO BYELAWS

- 1 (1) No byelaw made by a river authority shall have effect until confirmed by the appropriate Minister or Ministers under this Schedule.
- (2) Notwithstanding any tiling in section 135(2) of this Act, hi this Schedule " the appropriate Minister or Ministers ", in relation to byelaws made by a river authority under section 5 of the Rivers (Prevention of Pollution) Act 1951 means the Ministers ; and for the purposes of the said section 135(2), any byelaws made by a river authority under section 59(1)(p) of the Salmon and Freshwater Fisheries Act 1923 (which relates to the contamination of waters containing fish) shall be treated as made solely in the performance by the authority of their functions relating to fisheries.
- 2 A river authority shall, at least one month before they apply for the confirmation of any byelaw.—
- (a) publish in the London Gazette, and in one or more news papers circulating in the area to which the byelaw will apply, notice of their intention to make the application, and
- (b) send a copy of the byelaw to every local authority whose area is wholly or partly within that area.
- 3 For at least one month before an application is made for the confirmation of any byelaw, a copy of the byelaw shall be deposited at the offices of the river authority, and shall at all reasonable hours be open to public inspection without charge; and

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the authority shall supply printed copies of the byelaw, free of charge, to any person appearing to the authority to be interested.

4 (1) Subject to the following provisions of this paragraph, the appropriate Minister or Ministers, with or without a local inquiry, may refuse to confirm any byelaw submitted for confirmation under this Schedule, or may confirm the byelaw either without modification or (subject to the consent of the river authority) with such modification as he or they think fit; and the authority shall, if so directed by the appropriate Minister or Ministers, cause notice of any proposed modification to be given in accordance with such directions.

(2) A byelaw made under section 5 of the Rivers (Prevention of Pollution) Act 1951 shall not be confirmed without a local inquiry if any written objection to its confirmation has been received by the Ministers and has not been withdrawn:

Provided that this sub-paragraph shall not apply to any objection if, in the opinion of the Ministers, the person making it has no material interest in the stream or part of a stream to which the byelaw relates.

(3) In relation to any such byelaw as is mentioned in the last preceding sub-paragraph, sub-paragraph (1) of this paragraph shall have effect with the substitution for the words " subject to the consent of the river authority " of the words " after consultation with the river authority ".

5 The appropriate Minister or Ministers may fix the date on which any byelaw confirmed under this Schedule is to come into operation, and if no date is so fixed the byelaw shall come into operation at the end of the period of one month beginning with the date of confirmation.

6 A copy of any byelaw confirmed under this Schedule shall be printed and deposited at the office of the river authority and shall, at all reasonable hours, be open to public inspection without charge, and a copy thereof shall, on application, be furnished to any person on payment of such reasonable sum as the authority may determine.

7 If it appears to the appropriate Minister or Ministers that the revocation of any such byelaw is necessary or expedient, he or they may, after giving notice to the river authority and considering any objections raised by them, and, if required by them, holding a local inquiry, revoke that byelaw.

8 The production of a printed copy of a byelaw purporting to be made by a river authority upon which is indorsed a certificate, purporting to be signed by the clerk of the authority, stating—

- (a) that the byelaw was made by the authority ;
- (b) that the copy is a true copy of the byelaw ;
- (c) that on a specified date the byelaw was confirmed under this Schedule; and
- (d) the date, if any, fixed under paragraph 5 of this Schedule for the coming into operation of the byelaw,

shall be prima facie evidence of the facts stated in the certificate, and without proof of the handwriting or official position of any person purporting to sign the certificate.

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SCHEDULE 13

Section 136.

AMENDMENT OF ENACTMENTS

PART I

AMENDMENT HAVING EFFECT AS FROM FIRST APPOINTED DAY

The Local Government Superannuation Act 1937

- 1 In Schedule 1, at the end of Part I, there shall be inserted the words—
 “A river authority”.

PART II

AMENDMENTS HAVING EFFECT AS FROM SECOND APPOINTED DAY

The Reservoirs (Safety Provisions) Act 1930

- 2 In section 10(1), at the end of the definition of " undertakers " there shall be added the words " or, in the case of a reservoir managed and operated by a river authority but not owned or leased by them, that river authority ".

The Water Act 1945

- 3 In section 21, after the word "well" in each place where it occurs there shall be inserted the word " borehole ".
- 4 In section 23, at the end of the proviso to subsection (1), there shall be added the following paragraph:—
 “(iii) orders under this section shall have effect subject to the provisions of Part IV of the Water Resources Act 1963”.

The Rivers (Prevention of Pollution) Act 1951

- 5 In section 11, in subsection (5), for the words from " the power conferred by section twenty-two" to the end there shall be substituted the words " the exercise of any power conferred by section 108 of the Water Resources Act 1963 (which relates to the default powers of Ministers) or by paragraphs 11 and 12 of Schedule 4 to that Act (which relate to committees of river authorities) ".
- 6 In Schedule 2, in paragraph 5, the following sub-paragraphs shall be substituted for sub-paragraph (3):—
 “(3) The Minister may by order direct that all or any of the provisions of the Water Resources Act 1963 specified in the next following sub-paragraph (being supplementary provisions as to the powers and procedure of river authorities and similar matters) shall apply for the purpose of the functions under this Act of the river authority for any excluded area as if that authority were a river authority and their area a river authority area, subject to such modifications as may be specified in the order.

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(3A) The said provisions are sections 108 and 109, sections 111 to 113, section 120, sub-paragraphs (2) and (3) of paragraph 18, and paragraph 19, of Schedule 4, and Schedule 12.”;

and, in sub-paragraph (4) of that paragraph, for the words "River Boards Act 1948" there shall be substituted the words " Water Resources Act 1963 ";, for the words " the last foregoing sub-paragraph " there shall be substituted the words " sub-paragraph (3) of this paragraph " and for the words " said Act of 1948 ", in both places where they occur, there shall be substituted the words " said Act of 1963 ".

7 In Schedule 2, in paragraph 11(1), for the words from " section seven of the River Boards Act" to " excluded from section one of that Act" there shall be substituted the words " section 10 of the Water Resources Act 1963 (which provides for the alteration of river authority areas) ".

The Town Development Act 1952

8 In section 23, in subsection (2), the following paragraph shall be substituted for paragraph (b)—

“(b) the expression ' drainage authority' has the meaning assigned to it by the Land Drainage Act 1930”.

The Protection of Birds Act 1954

9 In section 14 (1), in paragraph (c) of the definition of " authorised person ", for the words " river board constituted under the River Boards Act 1948 " there shall be substituted the words " river authority ".

The Town and Country Planning Act 1959

10 In Schedule 4, in paragraph 10, for the words " river board established under the River Boards Act 1948" there shall be substituted the words " river authority ", and in paragraph 11, for the words " river board " there shall be substituted the words " river authority ".

The Radioactive Substances Act 1960

11 In Schedule 1, at the end of Part I, there shall be inserted the following paragraph:—

“8A Sections 72, 74 and 76 of the Water Resources Act 1963.”

The Land Drainage Act 1961

12 In section 3 (5), for the words "paragraph 3 of the Third Schedule to the River Boards Act 1948 " there shall be substituted the words " paragraph 6 of Schedule 3 to the Water Resources Act 1963 ", and in section 3(6), for the words " paragraph 3 " there shall be substituted the words " paragraph 6 ".

13 In section 40 (1), for the words " a drainage board " there shall be substituted the words " any drainage board other than a river authority ".

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The Rivers (Prevention of Pollution) Act 1961

14 In section 3, in subsection (3), for the words " the said subsection (8)" there shall be substituted the words " section 114 of the Water Resources Act 1963 ".

15 In section 10 (2), for the words " section fifteen of the River Boards Act 1948 " there shall be substituted the words " section 113 of the Water Resources Act 1963 ".

The Trustee Investments Act 1961

16 In section 11, in paragraph (a) of subsection (4), after the word "parish" there shall be inserted the words " a river authority ".

The Sea Fish Industry Act 1962

17 In section 14, in subsection (1)(b), for the words " subsection (1) and subsections (4) to (8) of section sixteen, and section seventeen, of the River Boards Act 1948 " there shall be substituted the words " subsections (1), (3) and (4) of section 111 and subsections (1) to (7) of section 112 of the Water Resources Act 1963 ".

The Pipe-lines Act 1962

18 In section 37, in subsection (4), for the words from the beginning of paragraph (b) to the word " and " in the second place where it occurs in that paragraph there shall be substituted the words " ' river purification authority ' means ".

PART III

AMENDMENTS HAVING EFFECT AS FROM END OF INITIAL PERIOD

The Water Act 1945

19 In section 14, in subsection (10), for the words " any local authority within whose county or district" there shall be substituted the words " the river authority within Whose area " ; and in subsection (12), for the words " local authority whose county or district is comprised wholly or partly in an area to which this section applies" there shall be substituted the words " river authority ", for the words " any such area " there shall be substituted the words " the area of a river authority ", for the words " the local authority " there shall be substituted the words " the river authority ", and, in paragraph (a), after the word "area" there shall be inserted the words " of the river authority ".

PART IV

SUPPLEMENTARY PROVISIONS

20 Part I of this Schedule shall not have effect until the first appointed day.

21 Part II of this Schedule shall not have effect until the second appointed day.

22 Part III of this Schedule shall not have effect until the end of the initial period.

23 The amendments of section 14 of the Water Act 1945 contained in Part III of this Schedule shall not affect—

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- (a) any power of the court exercisable under subsection (10) of that section in pursuance of an application made before the end of the initial period, or
- (b) the exercise of any power by virtue of subsection (10) or subsection (12) of that section in pursuance of an authorisation granted by the court under the said subsection (10) before the end of the initial period or granted thereunder after the end of that period in pursuance of an application made before the end of that period.

SCHEDULE 14

Section 136.

ENACTMENTS REPEALED

PART I

Enactments repealed as from second appointed day

Session and Chapter	Short Title	Extent of Repeal
13 & 14 Geo. 5. c. 16.	The Salmon and Freshwater Fisheries Act 1923.	In section 38 (1), in the proviso to paragraph (e), subparagraph (ii).
8 & 9 Geo. 6. c. 42.	The Water Act 1945.	In section 3, in subsection (1), the words "or the conservation of water resources for the purpose of such provision". In section 4, in subsection (1) (a), the words " and of the water resources in or available for their area"; in subsection (1)(e), the words " or water resources in or available for their area "; and in subsection (3), the words " and the water resources in or available for that area ". In section 5, in paragraph (a), the words "and of the water resources in or available for that area ". Section 6.
11 & 12 Geo. 6. c. 32.	The River Boards Act 1948.	The whole Act.
12, 13 & 14 Geo. 6. c. 74.	The Coast Protection Act 1949.	In section 49, in subsection (1), the definition of " river board ".

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Session and Chapter	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 97.	The National Parks and Access to the Countryside Act 1949.	In section 114, in subsection (1), the definition of " river board ".
14 & 15 Geo. 6. c. 64.	The Rivers (Prevention of Pollution) Act 1951.	In section 1 (2) (a), the words "the River Boards Act 1948 and other " Section 10. In section 11 (1), the definitions of " river board " and " river board area " In Schedule 2, paragraphs 1 to 4.
14 & 15 Geo. 6. c. 65.	The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951.	In section 20, in subsection (4), the word " respectively " and the words "the River Boards Act 1948 and ".
1 & 2 Eliz. 2. c. 18.	The Coastal Flooding (Emergency Provisions) Act 1953.	Section 6.
6 & 7 Eliz. 2. c. 69.	The Opencast Coal Act 1958.	In section 51, in subsection (1), the definition of " river board ".
8 & 9 Eliz. 2. c. 54.	The Clean Rivers (Estuaries and Tidal Waters) Act 1960.	In section 1, subsection (5).
9 & 10 Eliz. 2. c. 48.	The Land Drainage Act 1961.	In section 3, in subsection (3) the words from " and the Minister shall cause" to the end, and subsection (4). Section 15. Section 33. Section 42. In section 43, the words " or section thirteen of the River Boards Act 1948 " In Schedule 1, Part II.
9 & 10 Eliz. 2. c. 50.	The Rivers (Prevention of Pollution) Act 1961.	In section 3, subsection (2). In section 9, subsection (5). In section 10, subsection (6).

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PART II

Enactments repealed as from end of initial period

Session and Chapter	Short Title	Extent of Repeal
9 & 10 Geo. 5. c. 100.	The Electricity (Supply) Act 1919.	Section 15.
16 & 17 Geo. 5. c. 51.	The Electricity (Supply) Act 1926.	In Schedule 6, the entry relating to section 15 of the Electricity (Supply) Act 1919.
8 & 9 Geo. 6. c. 42.	The Water Act 1945.	<p>In section 14, subsections (1) to (8); in subsection (9), the words " in any area to which this section applies ", and subsection (11).</p> <p>In section 23, in the proviso to subsection (1), the words " except as otherwise provided by the Water Act 1948 " and the word " compulsorily " in both places where it occurs.</p> <p>Section 26.</p> <p>In section 33, in the proviso to subsection (1), the word " compulsorily ".</p> <p>In section 45, paragraph (b).</p> <p>In Schedule 1, paragraph 3 (iv); the proviso to paragraph 19; in paragraph 20, the words " or, as the case may be, from which the water is proposed to be taken under the rights to be acquired " ; and in paragraph 22, the words " or subsection (6) of section twenty-six " and the words " as the case may be ".</p> <p>In Schedule 3, section 10; and in section 93 (1), the words " or to abstract water ".</p>
10 & 11 Geo. 6. c. 54.	The Electricity Act 1947.	In Part I of Schedule 4, the entry relating to section 15 of the Electricity (Supply) Act 1919.
11 & 12 Geo. 6. c. 22.	The Water Act 1948.	In section 2, paragraph (c) of subsection (1); in the proviso

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Session and Chapter	Short Title	Extent of Repeal
10 & 11 Eliz. 2. c. 46.	The Transport Act 1962.	to subsection (3), the word "compulsorily" in the second place where it occurs; and subsection (5). In section 5, subsections (1) to (3). In section 8, subsection (7). In section 14, subsection (3), and subsection (7)(a) except in so far as it provided for the omission of the words "land or". Section 63.

TABLE OF STATUTES REFERRED TO IN THIS ACT

Short Title	Session and Chapter
Lands Clauses Consolidation Act 1845	8 & 9 Vict. c. 18.
Railways Clauses Consolidation Act 1845	8 & 9 Vict. c. 20.
Tweed Fisheries Amendment Act 1859	22 & 23 Vict. c. lxx.
Documentary Evidence Act 1868	31 & 32 Vict. c. 37.
Salmon Fisheries (Scotland) Act 1868	31 & 32 Vict. c. 123.
Telegraph Act 1878	41 & 42 Vict. c. 76.
Railway and Canal Traffic Act 1888	51 & 52 Vict. c.25.
Interpretation Act 1889	52 & 53 Vict. c. 63.
Finance Act 1895	58 & 59 Vict. c. 16.
Salmon and Freshwater Fisheries Act 1923	13 & 14 Geo. 5. c. 16.
Land Registration Act 1925	15 & 16 Geo. 5. c. 21.
Land Charges Act 1925	15 & 16 Geo. 5. c. 22.
Land Drainage Act 1930	20 & 21 Geo. 5. c. 44.
Reservoirs (Safety Provisions) Act 1930	20 & 21 Geo. 5. c. 51.
Local Government Act 1933	23 & 24 Geo. 5. c. 51.
Public Health Act 1936	26 Geo. 5. & 1 Edw. 8. c. 49.
Diseases of Fish Act 1937	1 Edw. 8 & 1 Geo. 6. c. 33.
Local Government Superannuation Act 1937	1 Edw. 8 & 1 Geo. 6. c. 68.
Agriculture (Miscellaneous War Provisions) Act 1940.	3 & 4 Geo. 6. c. 14.
Water Act 1945	8 & 9 Geo. 6. c. 42.

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Short Title	Session and Chapter
Statutory Orders (Special Procedure) Act 1945	9 & 10 Geo. 6. c. 18.
Water (Scotland) Act 1946	9 & 10 Geo. 6. c. 42.
Acquisition of Land (Authorisation Procedure) Act 1946.	9 & 10 Geo. 6. c. 49.
Borrowing (Control and Guarantees) Act 1946	9 & 10 Geo. 6. c. 58.
New Towns Act 1946	9 & 10 Geo. 6. c. 68.
Fire Services Act 1947	11 & 12 Geo. 6. c. 41.
Local Government Act 1948	11 & 12 Geo. 6. c. 26.
River Boards Act 1948	11 & 12 Geo. 6. c. 32.
Superannuation (Miscellaneous Provisions) Act 1948	11 & 12 Geo. 6. c. 33.
Rivers (Prevention of Pollution) Act 1951	14 & 15 Geo. 6. c. 64.
Rivers (Prevention of Pollution) (Scotland) Act 1951	14 & 15 Geo. 6. c. 66.
Border Rivers (Prevention of Pollution) Act 1951	15 & 16 Geo. 6. & 1 Eliz. 2. c. 7.
Town Development Act 1952	15 & 16 Geo. 6 & 1 Eliz. 2. c. 54.
Visiting Forces Act 1952	15 & 16 Geo. 6. & 1 Eliz. 2. c. 67.
Protection of Birds Act 1954	2 & 3 Eliz. 2. c. 30.
Housing Repairs and Rents Act 1954	2 & 3 Eliz. 2. c. 53.
Oil in Navigable Waters Act 1955	3 & 4 Eliz. 2. c. 25.
House of Commons Disqualification Act 1957	5 & 6 Eliz. 2. c. 20.
Local Government Act 1958	6 & 7 Eliz. 2. c. 55.
Water Act 1958	6 & 7 Eliz. 2. c. 67.
National Insurance Act 1959	7 & 8 Eliz. 2. c. 47.
Town and Country Planning Act 1959	7 & 8 Eliz. 2. c. 53.
Radioactive Substances Act 1960	8 & 9 Eliz. 2. c. 34.
Clean Rivers (Estuaries and Tidal Waters) Act 1960.	8 & 9 Eliz. 2. c. 54.
Land Compensation Act 1961	9 & 10 Eliz. 2. c. 33.
Rating and Valuation Act 1961	9 & 10 Eliz. 2. c. 45.
Land Drainage Act 1961	9 & 10 Eliz. 2. c. 48.
Rivers (Prevention of Pollution) Act 1961	9 & 10 Eliz. 2. c. 50.
Trustee Investments Act 1961	9 & 10 Eliz. 2. c. 62.

Status: This is the original version (as it was originally enacted).

Short Title	Session and Chapter
Sea Fish Industry Act 1962	10 & 11 Eliz. 2. c. 31.
Town and Country Planning Act 1962	10 & 11 Eliz. 2. c. 38.
Transport Act 1962	10 & 11 Eliz. 2. c. 46.
Pipe-lines Act 1962	10 & 11 Eliz. 2. c. 58.