



Water (Scotland) Act 1967

1967 CHAPTER 78

PART I

REGIONAL WATER BOARDS AND WATER DEVELOPMENT BOARDS

1 Establishment of regional water boards

- (1) The Secretary of State shall, as soon as practicable after the passing of this Act, by order establish boards to be called " regional water boards ".
- (2) The names of the regional water boards established by virtue of this section shall be those specified in the second column of Part I of Schedule 1 to this Act; and the area for which each such regional water board are so established shall comprise the limits of supply of the local water authorities in so far as those limits are specified in relation to that board in the third column of the said Part I, and as they existed on 1st January 1967.
- (3) The area of a regional water board shall be called a " region ".
- (4) A regional water board established by virtue of this section—
 - (a) shall come into existence on the first appointed day, being the day appointed in relation to that board by an order made by the Secretary of State for the purposes of this paragraph, and
 - (b) on and after the second appointed day, being the day (subsequent to the first appointed day) appointed in relation to that board by an order made by the Secretary of State for the purposes of this paragraph, shall perform the functions assigned or transferred to them by or under this Act.

2 Transfer to regional water boards of functions of local water authorities

- (1) Subject to the provisions of this Act, as from the second appointed day, the functions of a local water authority, any part of whose limits of supply is specified as aforesaid in relation to the region of a regional water board, shall be transferred to that board in accordance with the following provisions of this subsection:—

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- (a) in the case where the said limits of supply are wholly comprised in that region, all the functions of that authority; and
 - (b) in the case where a part only of those limits of supply is comprised in that region, all the functions of that authority relating to that part,
- and on the said day any local water authority, being a joint water board, whose functions are so transferred shall cease to exist.

- (2) For the purposes of the foregoing subsection the provisions of Schedule 2 to this Act shall have effect for adapting statutory provisions as mentioned in that Schedule.

3 Central Scotland Water Development Board

- (1) There shall be established a water development board to be called the Central Scotland Water Development Board (in this Act referred to as " the Central Board ") which shall come into existence on the first appointed day, being such day as may be appointed by an order made by the Secretary of State for the purposes of this subsection.
- (2) The area for which the Central Board are established shall comprise the regions specified in Part II of Schedule 1 to this Act.
- (3) On and after the second appointed day, being such day (subsequent to the first appointed day) as may be appointed by an order made by the Secretary of State for the purposes of this subsection, the Central Board shall perform the functions assigned or transferred to them by or under this Act.

4 Transfer to Central Board of functions of certain joint water boards, and other functions of the Board

- (1) Subject to the provisions of this Act, on the second appointed day there shall be transferred to the Central Board the functions of any joint water board (other than a joint water board which is mentioned in the third column of Part I of Schedule 1 to this Act) whose limits of supply are comprised in their area and whose principal function is the supply of water in bulk to the constituent authorities of that board, and on that day such a joint water board shall cease to exist.
- (2) There shall be assigned to the Central Board the function of developing new sources of water supply for the purposes of giving a supply of water in bulk to two or more of the regional water boards of the regions comprised in their area.
- (3) For the purposes of this section the provisions of Schedule 2 to this Act shall have effect for adapting statutory provisions as mentioned in that Schedule.

5 Establishment of new regional water boards and water development boards, and alteration of regions and areas

- (1) Subject to the provisions of this section, the Secretary of State may at any time, by order—
- (a) designate a new region (consisting of any part of Scotland, whether wholly or partly comprised in one or more than one existing region) and establish a new regional water board for the region so designated; or
 - (b) designate an area for the purpose of establishing a new water development board (consisting of any part of Scotland, whether wholly or partly comprised in such an area already existing or not) and establish such a board; or

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- (c) alter any region, or the area of any water development board, specified or designated by virtue of this Act.
- (2) Any order under this section may contain such transitional, incidental, supplementary and consequential provisions as the Secretary of State may consider necessary or expedient for the purposes of the order, including (but without prejudice to the generality of this subsection) such provisions as he considers necessary or expedient with respect to the transfer of functions, assets and liabilities, the amendment, adaptation or repeal of local enactments, or the application (subject to such exceptions, adaptations and modifications as may be specified in the order) of any of the provisions of Parts III and IV of this Act or any regulations made for the purposes of the said Part III.
- (3) Where a new regional water board or a new water development board are established by an order under this section, they shall have, in addition to any other functions assigned or transferred to them by the order, the like functions as a regional water board established under section 1 of this Act or, as the case may be, as the Central Board.
- (4) The provisions of Schedule 3 to this Act shall have effect in relation to the making of an order under this section.

6 Maps of regions

- (1) The Secretary of State shall, as soon as practicable after each regional water board established by virtue of section 1 of this Act come into existence, send to the board a map of their region and shall, as soon as practicable after an order under section 5 of this Act relating to the region of a regional water board comes into operation, send to the board a map of the region as altered or, as the case may be, designated by the order.
- (2) Any map sent to a regional water board under this section, except a map which has been superseded by a subsequent map sent thereunder, shall be kept at the principal office of the board ; and the board shall provide reasonable facilities for the inspection of the map by any person wishing to inspect it, and for the taking of copies of, and extracts from the map.
- (3) Any map sent as aforesaid shall be taken to be a document within the meaning of the Documentary Evidence Act 1868, as applied to the Secretary of State for Scotland.

7 Duty of regional water boards and water development boards to consult together and to collaborate

- (1) Regional water boards and water development boards shall, in matters of common interest in relation to the performance of their functions, consult together and collaborate.
- (2) Where a regional water board or a water development board propose to investigate a potential new source of water supply, they shall give notice thereof as early as possible to any regional water board or water development board likely to be interested so that the consultation required by the foregoing subsection may begin as soon as possible.

8 Constitution of regional water boards

- (1) A regional water board shall consist of such number of members, being not less than ten and not more than twenty-five, as the Secretary of State may by order specify, or

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such greater number as he may so specify, if he is satisfied that that greater number is necessary in view of special circumstances relating to a particular region.

- (2) Subject to the following provisions of this section the members of a regional water board shall be appointed from and by the constituent councils of which they are members.
- (3) The number of members of a regional water board to be appointed by each constituent council shall be such number as the Secretary of State may by order specify, and in determining that number the Secretary of State shall have regard to the rateable valuation of the district of each constituent council, and to the population of that district; and in this subsection—
 - (a) a reference to a district means, in a case where a part only of a district is comprised in a region of a board, that part of the district; and
 - (b) the expression "rateable valuation" has the meaning assigned to it by section 43(1) of the Valuation and Rating (Scotland) Act 1956.
- (4) Where, in the case of two or more constituent councils, the Secretary of State, having regard to the considerations mentioned in the last foregoing subsection, considers that any member of a regional water board should be appointed jointly by those councils, he may by order provide accordingly.
- (5) Where, in accordance with the last foregoing subsection, an order provides for the joint appointment of any member, and the councils by whom that appointment is to be made are unable to agree on an appointment, the member in question shall be appointed by the Secretary of State on behalf of those councils.
- (6) In this Act, "constituent council", in relation to a regional water board, means a local authority any part of whose district is comprised in the region of that board.
- (7) The provisions of Schedule 4 to this Act shall have effect in relation to regional water boards.

9 Constitution of water development boards

- (1) The members of a water development board shall be appointed from and by the constituent boards of which they are members.
- (2) The number of members of a water development board to be appointed by each constituent board shall be two or such greater number as the Secretary of State may by order specify in relation to any constituent board where he is satisfied that the greater number is necessary in view of special circumstances relating to that board or their region.
- (3) In this Act, "constituent board", in relation to a water development board, means a regional water board any part of whose region is comprised in the area of that water development board.
- (4) The provisions of Schedule 4 to this Act shall have effect in relation to water development boards.