



# Water Act 1989

## 1989 CHAPTER 15

### PART III

#### THE PROTECTION AND MANAGEMENT OF RIVERS AND OTHER WATERS

### CHAPTER I

#### CONTROL OF POLLUTION

#### *Criminal and civil liability*

#### **121 Offences under Chapter I**

- (1) Without prejudice to section 177 below, where the commission by any person of an offence under this Chapter is due to the act or default of some other person, that other person may be charged with and convicted of the offence whether or not proceedings for the offence are taken against the first-mentioned person.
- (2) Notwithstanding anything in section 127 of the Magistrates' Courts Act 1980 (time limit for summary proceedings), a magistrates' court may try any summary offence under this Chapter, or under any subordinate legislation made under this Chapter, if the information is laid not more than twelve months after the commission of the offence.

#### **122 Civil liability and savings**

Except in so far as this Chapter expressly otherwise provides and subject to the provisions of section 18 of the Interpretation Act 1978 (which relates to offences under two or more laws), nothing in this Chapter —

- (a) confers a right of action in any civil proceedings (other than proceedings for the recovery of a fine) in respect of any contravention of this Chapter or any subordinate legislation, consent or other instrument made, given or issued under this Chapter;

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- (b) derogates from any right of action or other remedy (whether civil or criminal) in proceedings instituted otherwise than under this Chapter; or
- (c) affects any restriction imposed by or under any other enactment, whether public, local or private.