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**Changes to legislation:** Water Act 1989, Paragraph 48 is up to date with all changes known to be in force on or before 13 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 25

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Control of Pollution Act 1974 (c. 40)*

- 48 (1) In section 2(3)(a) of the Control of Pollution Act 1974 (duty of a disposal authority to consult various bodies in preparing or revising a waste disposal plan), for sub-paragraph (i) there shall be substituted the following sub-paragraph—
- “(i) the National Rivers Authority, and”.
- (2) In section 3 of that Act (prohibition on unlicensed disposal of waste), after subsection (4) there shall be inserted the following subsection—
- “(5) In this section and subsections (5) and (6) of the following section “land” includes land covered with waters where the land is above the low-water mark of ordinary spring tides and the waters are not inland waters (within the meaning of Chapter I of Part III of the Water Act 1989).”
- <sup>F1</sup>(3) .....
- <sup>F1</sup>(4) .....
- (5) In section 14 of that Act (disposal of waste in England and Wales)—
- (a) in subsection (9), for the words “water authority”, wherever they occur, there shall be substituted the words “sewerage undertaker”;
- (b) in subsection (10)—
- (i) for the words “water authority”, in both places where they occur, there shall be substituted the words “sewerage undertaker”; and
- (ii) for the words “the authority” there shall be substituted the words “the undertaker”;
- and
- (c) for subsection (11) there shall be substituted the following subsection—
- “(11) For the purposes of so much of the Water Act 1989 as relates to charging by sewerage undertakers the reception and disposal by a sewerage undertaker or other person of matter delivered to it or him by another sewerage undertaker in pursuance of subsection (9) of this section shall be treated as a service provided for that other undertaker by the sewerage undertaker in the course of carrying out its functions.”
- (6) In section 28(1) of that Act (supplementary provisions relating to pipes), for the words “21(4) or 26” there shall be substituted the words “or 21(4)”.

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- (7) In section 62(2)(a) of that Act (exceptions to restrictions on the use of loudspeakers in a street), for the words “a water authority” there shall be substituted the words “the National Rivers Authority, a water undertaker or a sewerage undertaker”.
- (8) In section 73(1) of that Act (interpretation of Part III of that Act), in the definition of “statutory undertakers”, for the words “hydraulic power or water” there shall be substituted the words “or hydraulic power”.
- (9) In section 90(2) of that Act (establishment charges and interest in respect of certain expenses of authorities), for the words from the beginning to “any other” there shall be substituted the words “Where a sum is payable to a”.
- (10) For section 95 of that Act there shall be substituted the following section—

**“95 Service of documents on and by certain undertakers.**

Section 187 of the Water Act 1989 (service of documents) shall apply for the purposes of the service of any document required or authorised by virtue of this Act to be served on or by a water undertaker or sewerage undertaker as it applies for the purposes of the service of any document required or authorised by virtue of that Act to be served on or by any person.”

- (11) In section 98 of that Act (interpretation of Part V of that Act), in the definition of “relevant authority”, after the words “Middle Temple” there shall be inserted the words “and, for the purposes of sections 91 to 93 of this Act, a sewerage undertaker”.

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**Textual Amendments**

- F1** Sch. 25 para. 48(3)(4) repealed (1.4.1996) by 1995 c. 25, s. 120(3), Sch. 24 (with ss. 7(6), 115, 117); S.I. 1996/186, art. 3(xxv)

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**Changes and effects yet to be applied to :**

- Sch. 25 para. 48(1)-(6) repealed by [1990 c. 43 Sch. 16 Pt. 2](#)