

Changes to legislation: There are currently no known outstanding effects for the Water Act 1989, Paragraph 40. (See end of Document for details)

SCHEDULES

SCHEDULE 26

TRANSITIONAL PROVISIONS AND SAVINGS

PART VI

FISHERIES

- 40 (1) Subject to the following provisions of this paragraph, any byelaw or appointment made, permission given, licence granted or other thing done by a water authority which—
- (a) is made, given, granted or done under any enactment or subordinate legislation which relates to the functions of the authority relating to fisheries; and
 - (b) is in force or effective immediately before the transfer date,
- shall have effect on and after that date as if it were made, given, granted or done by the Authority.
- (2) ^{F1}
- (3)
- ... ^{F2}nothing in paragraph 7(7) or (14) of Schedule 17 to this Act shall affect the validity or effect of any order under [^{F3}section 28(3) of the Salmon and Freshwater Fisheries Act 1975] which is in force immediately before the transfer date
- (4) Nothing in this Act shall be construed as preventing so much of any order under section 28(3) of the Salmon and Freshwater Fisheries Act 1975 or of any licence under Part I of Schedule 3 to that Act as—
- (a) is in force immediately before the transfer date; and
 - (b) has the effect for the purposes of section 6 of that Act (prohibition on placing and use of unauthorised fixed engines) of authorising the placing or use of any fixed engine,
- from continuing to have that effect on and after that date.

Textual Amendments

F1 S. 5(1)–(4), 6(1)–(7), 7–10, 11(1)–(8), 12, 14–22, 24–28, 31–68, 70(3)–(5), 71, 73–82, 97–135 137(1)–(8)(10)(11), 138, 139(1)–(5), 140, 142(1), 143–167, 170, 171, 176, 178–182, 186, 188, 189(2)–(5)(8), Sch. 1 paras. 1–10, 14–23, Sch. 3 paras. 1–5, Sch. 4 paras. 1–5, Schs. 6, 7, Sch. 8 paras. 1, 2(1)–(10) (12), 3, 4, 5, Schs. 9–14, Sch. 16, Schs. 18–21, 24, Sch. 25 paras. 2, 6, 7, 10, 21, 27(4), 31(1), 40, 45(1) (2), 61(5), 63, 71(1)(2), 72, 73, 80(1), Sch. 26 paras. 5(2)–(4), 7, 9–12, 13(1), 14(1)(2), 15(2), 16(1)(2) (5)–(7)(10), 18, 19, 21–25, 27–29, 32–39, 40(2), 41(2)(3), 42–45, 48, 50, 56, 57(1)–(5)(7) repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

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- F2** Words repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)
- F3** Words substituted by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 2, **Sch. 1 para. 50(3)(c)**

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