



# Water Act 1989

## 1989 CHAPTER 15

### PART VI

#### MISCELLANEOUS AND SUPPLEMENTAL

##### *Other supplemental provisions*

#### **191 Local statutory provisions: consequential amendments etc**

- (1) If it appears to the Secretary of State or the Minister to be appropriate to do so—
  - (a) for the purposes of, or in consequence of, the coming into force of any enactment contained in this Act; or
  - (b) in consequence of the effect or operation at any time after the transfer date of any such enactment or of anything done under any such enactment,he may by order repeal, amend or re-enact (with or without modifications) any local statutory provision, including, in the case of an order by virtue of paragraph (b) above, a provision amended by virtue of paragraph (a) above.
- (2) An order made by the Secretary of State or the Minister under subsection (1) above may—
  - (a) make provision applying generally in relation to local statutory provisions of a description specified in the order;
  - (b) make different provision for different cases, including different provision in relation to different persons, circumstances or localities;
  - (c) contain such supplemental, consequential and transitional provision as the Secretary of State or, as the case may be, the Minister considers appropriate; and
  - (d) in the case of an order made after the transfer date, require provision contained in the order to be treated as if it came into force on that date.
- (3) The power under this section to repeal or amend a local statutory provision shall include power to modify the effect in relation to any local statutory provision of any provision of Schedule 26 to this Act.

---

*Status: This is the original version (as it was originally enacted).*

---

- (4) Nothing in any order under this section may abrogate or curtail the effect of so much of any local statutory provision as confers any right of way or confers on or preserves for the public—
  - (a) any right of enjoyment of air, exercise or recreation on land; or
  - (b) any right of access to land for the purposes of exercise or recreation.
- (5) The power to make an order under subsection (1) above shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) Subject to the provisions of Schedule 26 to this Act, nothing in any local statutory provision passed or made before the transfer date shall be construed as relieving any water undertaker or sewerage undertaker from any liability arising by virtue of this Act in respect of any act or omission occurring on or after that date.