



Water Resources Act 1991

1991 CHAPTER 57

PART VII

LAND AND WORKS POWERS

CHAPTER I

POWERS OF THE [F¹APPROPRIATE AGENCY]

Powers to discharge water

163 Discharges for works purposes.

- (1) Subject to the following provisions of this section and to section 164 below, where the [F¹appropriate agency]—
- (a) is carrying out, or is about to carry out, the construction, alteration, repair, cleaning, or examination of any reservoir, well, borehole or other work belonging to or used by the [F¹appropriate agency] for the purposes of, or in connection with, the carrying out of any of its functions; or
 - (b) is exercising or about to exercise any power conferred by section 159, 160 or 162(2) or (3) above,
- the [F¹appropriate agency] may cause the water in any relevant pipe or in any such reservoir, well, borehole or other work to be discharged into any available watercourse.
- (2) Nothing in this section shall authorise any discharge which—
- (a) damages or injuriously affects the works or property of any railway company or navigation authority; or
 - (b) floods or damages any highway.
- (3) If the [F¹appropriate agency] fails to take all necessary steps to secure that any water discharged by it under this section is as free as may be reasonably practicable from—
- (a) mud and silt;

Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Section 163. (See end of Document for details)

- (b) solid, polluting, offensive or injurious substances; and
- (c) any substances prejudicial to fish or spawn, or to spawning beds or food of fish,

it shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.

(4) In this section—

“railway company” means the British Railways Board, [^{F2}Transport for London or any subsidiary (within the meaning of the Greater London Authority Act 1999) of Transport for London,] or any other person authorised by any enactment, or by any order, rule or regulation made under any enactment, to construct, work or carry on a railway; and

“relevant pipe” has the same meaning as in section 159 above.

Textual Amendments

- F1** Words in ss. 161D-164 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 283** (with Sch. 7)
- F2** Words in s. 163(4) substituted (15.7.2003) by [The Transport for London \(Consequential Provisions\) Order 2003 \(S.I. 2003/1615\)](#), art. 1(1), **Sch. 1 para. 16(2)**

Changes to legislation:

There are currently no known outstanding effects for the Water Resources Act 1991, Section 163.