



# Land Drainage Act 1991

## 1991 CHAPTER 59

### PART IV

#### FINANCIAL PROVISIONS

### CHAPTER II

#### DRAINAGE RATES

##### *Making and assessment of rates*

#### **48 Procedure for making of rate.**

- (1) A drainage rate shall—
  - (a) be made by the drainage board for an internal drainage district in writing under the common seal of the board; and
  - (b) be treated as made on the date on which a resolution is passed by the board authorising their seal to be affixed to the rate.
- (2) A drainage rate made by a drainage board shall not be valid unless notice of it stating—
  - (a) the amount of the rate;
  - (b) the amounts of the board's expenses to be raised by means of drainage rates and special levies, respectively; and
  - (c) the date on which the rate was made,is given by the board in accordance with subsection (3) below within ten days of its being made.
- (3) A notice under subsection (2) above of a rate made by the drainage board for any internal drainage district may, as the board think fit, either—
  - (a) be affixed in one or more public or conspicuous places in that district; or
  - (b) be published [<sup>F1</sup> in some other way ].

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**Changes to legislation:** *Land Drainage Act 1991, Section 48 is up to date with all changes known to be in force on or before 27 May 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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<sup>F2</sup>( 3A ) .....

(4) Every drainage rate shall be in the prescribed form.

**Textual Amendments**

- F1** Words in s. 48(3)(b) substituted (14.7.2014) by [Water Act 2014 \(c. 21\)](#), s. 94(3), **Sch. 9 para. 6(2)**; S.I. 2014/1823, art. 2(b)
- F2** S. 48(3A) omitted (21.5.2016) by virtue of [Environment \(Wales\) Act 2016 \(anaw 3\)](#), **ss. 82(1)**, 88(2) (d)

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[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 37(5A)-(5D) inserted by [2016 anaw 3 s. 83\(2\)\(b\)](#)
- s. 37(5A) substituted in earlier affecting provision [2016 anaw 3, s. 83\(2\)\(b\)](#) by [2021 c. 30 s. 95\(2\)\(b\)\(i\)](#)
- s. 37(5B)(5C) words substituted in earlier affecting provision [2016 anaw 3, s. 83\(2\)\(b\)](#) by [2021 c. 30 s. 95\(2\)\(b\)\(ii\)](#)
- s. 37(5D)(5E) substituted in earlier affecting provision [2016 anaw 3, s. 83\(2\)\(b\)](#) by [2021 c. 30 s. 95\(2\)\(b\)\(ii\)](#)