

**Changes to legislation:** There are currently no known outstanding effects for the Water Consolidation (Consequential Provisions) Act 1991, Paragraph 18. (See end of Document for details)

## SCHEDULES

### SCHEDULE 2

#### TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

##### **Modifications etc. (not altering text)**

- C1** Sch. 2: power to modify conferred (1.12.1991) by [Water Industry Act 1991 \(c. 56, SIF 130\)](#), **ss. 74(6), 223(2)** (with s. 219(3))

#### PART II

##### TRANSITORY PROVISIONS IN RESPECT OF FLOOD DEFENCE AND LAND DRAINAGE

###### *Qualification for election to internal drainage board—pre 1993 rates*

- 18 (1) Paragraph 4 of Schedule 1 to the <sup>M1</sup>Land Drainage Act 1991, shall have effect until the beginning of the financial year beginning in 1993, as if—
- (a) in paragraphs (a) and (d) of sub-paragraph (1), the requirement for the purposes of those paragraphs that a person who is the owner of land such as is mentioned in those paragraphs should also be its occupier were omitted; and
  - (b) in paragraph (c) of that sub-paragraph, the reference to the occupier of any such land as is mentioned in that paragraph were a reference to a person who is the owner or the occupier of any such land.
- (2) Subject to sub-paragraph (3) below, a person shall not, by virtue of paragraph 4(1)(a), (c) or (d) of Schedule 1 to the Land Drainage Act 1991 and sub-paragraph (1) above, be qualified for election as being the owner of any land or a person nominated by the owner of any land if at the date of the election any amount demanded in respect of any owner's drainage rate levied in respect of that land remains unpaid.
- (3) Sub-paragraph (2) above shall not apply if—
- (a) the date of the election falls less than 6 months after the beginning of the period for which the unpaid rate was made; or
  - (b) the land was occupied, when the amount was demanded, by a person who, as between the owner and the occupier, was liable to pay the owner's drainage rate.
- (4) In paragraph 4(1) of Schedule 1 to the Land Drainage Act 1991, a reference to the assessable value of land is, in relation to a relevant date before 1st April 1993, a reference to the annual value on which any such a drainage rate would be assessable in accordance with section 64 of the 1976 Act.
- (5) In this paragraph “the relevant date” has the same meaning as in paragraph 4 of Schedule 1 to the Land Drainage Act 1991.

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**Marginal Citations**

**M1** [1991 c. 59](#).

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