



# Water Act 2003

## 2003 CHAPTER 37

### PART 3

#### MISCELLANEOUS

#### *Discharge consents*

#### **87 Transfer of discharge consents**

- (1) Paragraph 11 of Schedule 10 to the WRA (transfer of discharge consents) is amended as follows.
- (2) In sub-paragraph (2), the words “, subject to sub-paragraph (4) below,” are omitted.
- (3) In sub-paragraph (3), the words “, subject to sub-paragraph (4) below,” are omitted.
- (4) Sub-paragraph (4) is omitted.
- (5) For sub-paragraph (6) there is substituted—
  - “(6) Where a consent under paragraph 3 or 6 above is to be transferred under sub-paragraph (1) above—
    - (a) the person from whom and the person to whom the consent is to be transferred shall give joint notice to the Agency of the proposed transfer;
    - (b) the notice may specify the date on which it is proposed that the transfer should take effect;
    - (c) within twenty-one days beginning with the date of receipt of the notice duly given in accordance with sub-paragraph (6A) below, the Agency shall—
      - (i) arrange to amend the consent by substituting the name of the transferee as holder of the consent; and
      - (ii) serve notice on the transferor and the transferee that the amendment has been made; and

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*Status: This is the original version (as it was originally enacted).*

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- (d) the transfer shall take effect from the later of—
    - (i) the date on which the Agency amends the consent; and
    - (ii) the date (if any) specified in the joint notice under paragraph (a) above.
  - (6A) A joint notice under sub-paragraph (6)(a) above shall include such information as may be prescribed.
  - (6B) If the person from whom the consent is to be transferred is a person in whom the consent has vested by virtue of sub-paragraph (2) or (3) above, a joint notice given under sub-paragraph (6)(a) above shall be of no effect unless the notice required by sub-paragraph (7) below has been given.
  - (6C) A notice or other instrument given by or on behalf of the Agency pursuant to sub-paragraph (6) above shall not constitute an instrument signifying the consent of the Agency for the purposes of paragraph 8 above.”
- (6) In sub-paragraph (9), the words “(6) or” are omitted.