



Rivers (Prevention of Pollution) Act 1961

1961 CHAPTER 50 9 and 10 Eliz 2

10 Samples of effluent.

- (1) In any legal proceedings it shall be presumed, until the contrary is shown, that any sample of effluent taken at an inspection chamber or manhole or other place provided in compliance with a condition imposed under this Act or section seven of the principal Act in relation to any waters is a sample of what was passing from the land or premises to those waters.
- (2) A [^{F1}water authority] may agree with the occupier of any land or premises from which effluent is discharged on the point or points at which, in exercise of the [^{F1}water authority's] rights under [^{F2}section 113 of the ^{M1}Water Resources Act 1963], or under any other enactment, samples are to be taken of the effluent passing into any waters, and in any legal proceedings it shall be presumed, until the contrary is shown, that any sample of effluent taken at a point fixed under this section is a sample of what was passing from the land or premises to those waters.
- (3) An agreement under the last foregoing subsection shall have effect in relation to the land or premises notwithstanding any change of occupation, but the [^{F1}water authority] or the occupier for the time being may at any time declare that it shall cease to have effect.
- (4) In default of agreement under the foregoing provisions of this section, the [^{F1}water authority] may apply to the Minister and the Minister may, after considering any representations made to him by the occupier of the land or premises and any other person who appears to the Minister to be interested, fix the point at which samples are to be taken; and the Minister may from time to time on the application of the [^{F1}water authority] or the occupier of the land or premises review and vary any decision taken by him under this subsection.
- (5) Every [^{F1}water authority] shall maintain a register containing such particulars as the Minister may direct of sampling points fixed under the foregoing provisions of this section, and the register shall be open to inspection at all reasonable hours by any person appearing to the [^{F1}water authority] to be interested.
- (6)

Changes to legislation: There are currently no known outstanding effects for the Rivers (Prevention of Pollution) Act 1961, Section 10. (See end of Document for details)

Textual Amendments

- F1** Words substituted by virtue of [Water Act 1973 \(c. 37\), s. 9\(a\)](#)
- F2** Words substituted by [Water Resources Act 1963 \(c. 38\), Sch. 13 para. 15](#); repealed by [Water Act 1973 \(s. 37\), Sch. 9](#)
- F3** [S. 10\(6\)](#) repealed by [Water Resources Act 1963 \(c. 38\), Sch. 14 Pt. I](#)
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Modifications etc. (not altering text)

- C1** [S. 10\(1\)](#) extended by [Control of Pollution Act 1974 \(c. 40\), s. 109\(2\), Sch. 3 para. 17](#)
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Marginal Citations

- M1** [1963 c. 38.](#)

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