



Rivers (Prevention of Pollution) Act 1961

1961 CHAPTER 50

General provisions as to conditions and consents governing discharges and new outlets

5 Review and variation of conditions governing discharges and new outlets

- (1) A river board shall from time to time review any condition having effect under this Act or under section seven of the principal Act (other than a condition to be satisfied before a discharge is made or an outlet is brought into use), and may give the person making the discharge or using the outlet, as the case may be, a notice making any reasonable variation of, or revoking, any such condition ; and the Minister may, if he thinks fit so to do, direct the board to vary or revoke any such condition and, if the board fail within such period as the Minister may allow to give effect to any such direction, the Minister may himself give a notice as aforesaid.
- (2) A statement in the form in the First Schedule to this Act shall be included among the terms of—
 - (a) any consent having effect under this Act or under section seven of the principal Act, and
 - (b) any notice given under subsection (5) of section one of this Act or under subsection (4) of section seven of the principal Act, and
 - (c) any notice given under this section, other than a notice given with the consent in writing of the person to whom it is given,being a consent taking effect, or a notice given, after the commencement of this Act, and the period specified in the statement shall be a reasonable period of not less than two years from the date on which the consent takes effect or the notice is given.
- (3) No notice shall be given under subsection (1) of this section before the expiration of the period specified in the said statement except with the consent in writing of the person to whom the notice is given.
- (4) Subsection (2) of this section shall not apply to a consent or notice which, in consequence of the temporary nature of the discharge to which it relates or for any other reason, will be spent within two years from the date on which the consent takes effect or the notice is given, and no notice shall be given under subsection (1) of this

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section varying the conditions of any such consent or notice except with the consent in writing of -the person making the discharge.

- (5) In this section references to varying a condition include references to substituting for any condition or conditions any one or more other conditions, and to imposing any new conditions; and references to reviewing a condition include references to reviewing any consent on which no condition has been imposed with a view to determining whether a condition should be imposed.
- (6) Subsection (5) of section seven of the principal Act shall cease to have effect, but any notice given under that subsection shall have effect as if given under subsection (1) of this section.