



Public Health Act 1936

1936 CHAPTER 49

PART IV

WATER SUPPLY.

Waterworks and other sources of supply.

120 Incorporation of certain provisions of Waterworks Clauses Acts.

For the purpose of enabling a local authority to supply water under this Act, there shall be incorporated with this Act the Waterworks Clauses Act, 1863, except section fifteen thereof, and the following provisions of the Waterworks Clauses Act, 1847 :—

sections forty-four to forty-seven, with respect to the communication pipes to be laid by the undertakers;

sections forty-eight to fifty-one and fifty-three, with respect to the communication pipes to be laid by the inhabitants;

sections fifty-four to sixty, with respect to waste or misuse of the water supplied by the undertakers;

sections sixty-one to sixty-seven, with respect to the provision for guarding against fouling the water of the undertakers; and

sections sixty-eight to seventy-one, seventy-three and seventy-four, with respect to the payment and recovery of the water rates :

Provided that—

- (a) the provisions with respect to the communication pipes to be laid by the undertakers and the inhabitants respectively shall apply only in districts, or parts of districts, where the local authority lay any pipes for the supply of any of the inhabitants thereof;
- (b) the provisions with respect to the communication pipes to be laid by the inhabitants shall have effect subject to the provisions of the next succeeding section;

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- (c) any dispute authorised, or directed, by any of the said incorporated provisions to be settled by an inspector, or two justices, shall be settled by a court of summary jurisdiction;
- (d) section forty-four of the Waterworks Clauses Act, 1847, shall for the purposes of this Act have effect as if the words " with the consent " in writing of the owner or reputed owner " of any such house, or of the agent of such " owner " were omitted therefrom, and any rent for pipes and works paid by an occupier under that section may be deducted by him from any rent from time to time due from him to such owner;
- (e) section forty-eight of the said Act shall for the purposes of this Act have effect as if after the words " having first obtained " there were inserted the words " as respects any ground not forming part of a street ";
- (f) section fifty-seven of the said Act shall for the purposes of this Act have effect as if after the word " afternoon " there were inserted the words " on producing, if required, evidence of his authority ", and as if after the words " and if" there were inserted the words " after production of his authority " ; and
- (g) the provisions with respect to the payment and recovery of water rates shall have effect subject to the subsequent provisions of this Part of this Act with respect to charges for water.