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STATUTORY INSTRUMENTS

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1989 No. 1381

**WATER, ENGLAND AND WALES**

**The Water Reorganisation (Pensions etc.) (Amendment)  
Regulations 1989**

*Made - - - - - 3rd August 1989*

*Laid before Parliament 11th August 1989*

*Coming into force 1st September 1989*

The Secretary of State for the Environment and the Secretary of State for Wales, acting jointly in exercise of the powers conferred on them by section 185(2) of, and paragraph 2(2) of Schedule 26 to, the Water Act 1989(a), and all other powers enabling them in that behalf, hereby make the following Regulations:—

**Citation and commencement**

1. These Regulations may be cited as the Water Reorganisation (Pensions etc.) (Amendment) Regulations 1989 and shall come into force on 1st September 1989.

**Amendment of Regulations**

2. The Water Reorganisation (Pensions etc.) Regulations(b) are amended—

- (1) by the omission from regulation 2 of the definition of “preserved” and of the word “and” immediately preceding that definition;
- (2) by the omission from paragraph (3) of regulation 4 of the words—  
“which is not a preserved pension”; and
- (3) by the substitution for regulation 5 of the following regulation—

“5.—(1) Subject to paragraph (2), all liabilities of the Thames Water Authority to pay any pension to, or in respect of, a person who has at any time been an officer or servant of—

- (a) the Conservators of the River Thames; or
- (b) the Lee Conservancy Catchment Board,

being liabilities which would, but for the 1989 Act, fall to be discharged by that Authority on or after the transfer date, shall on that date become liabilities of the successor company to that authority.

(2) Paragraph (1) shall not apply to any liability relating to the payment of a pension to, or in respect of, a person, who—

- (a) has at any time been an officer or servant of the Lee Conservancy Catchment Board; and
- (b) on the transfer date becomes an employee of the National Rivers Authority;

and any such liability shall become a liability of that Authority.”.

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(a) 1989 c.15; see section 189(9) as to the joint exercise of functions exercisable concurrently.  
(b) S.I. 1989/1161.

Signed by authority of the Secretary of State

2nd August 1989

Signed by authority of the Secretary of State

3rd August 1989

*Colin Moynihan*  
Parliamentary Under Secretary of State,  
Department of the Environment

*Ian Grist*  
Parliamentary Under Secretary of State,  
Welsh Office

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### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Water Reorganisation (Pensions etc.) Regulations 1989.

The effect of regulation 4(3), as amended, is to exclude from the liabilities that are transferred to the National Rivers Authority by regulation 4(1) liabilities relating to the payment of pensions to which members of water authorities who become directors of the authorities' successor companies or of the holding companies of those companies have become entitled at the transfer date (the date on which the water authorities' functions, property, rights and liabilities pass to either the National Rivers Authority or the authorities' successor companies). The amendment also ensures that liabilities in respect of the payment of pensions to the dependants of the members of water authorities referred to above are also excluded from the transfer of liabilities to the National Rivers Authority.

The effect of the substituted regulation 5 is, with one exception, to transfer to the company which succeeds the Thames Water Authority liabilities relating to the payment of pensions etc. to former officers and servants of the Thames Conservancy and the Lee Conservancy Catchment Board. The exception relates to the payment of pensions etc. to, or in respect of, officers and servants of the Lee Conservancy Catchment Board who become employees of the National Rivers Authority. Those liabilities are transferred to the National Rivers Authority.

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