



Water Act 1973

CHAPTER 37

WATER ACT 1973

PART I

NATIONAL POLICY AND CENTRAL AND LOCAL ORGANISATION

National policy

- 1 National policy for water

Water authorities

- 2 Establishment of water authorities
- 3 Members of water authorities

National Water Council

- 4 Establishment and functions of National Water Council

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- 7 Supply of goods and services, etc.
- 8 Rationalisation of holdings of property, and of functions

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- 10 Water conservation
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Status: This is the original version (as it was originally enacted).

- 12 Supply of water by statutory water companies on behalf of water authorities
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PART I — BOUNDARIES OF WATER AUTHORITY AREAS

General

- 1 (1) An order under section 2 above which establishes a...

Seaward boundaries of water authority areas for general purposes

- 2 (1) Without prejudice to section 19(1) of the Land Drainage...
3 In any such case as is mentioned in paragraph 2(4)...

Seaward boundaries for the purposes of fisheries functions

- 4 (1) Subject to any order under section 2 above, for...

Seaward boundaries for the purposes of river pollution functions

- 5 (1) Subject to any order under section 2 above, for...

PART II — MAPS

- 6 In this Part of this Schedule— " area map "...
7 As soon as practicable after the coming into force of...
8 The main river maps on 1st April 1974 shall consist...
9 The Minister may at any time send a water authority...
10 Until a main river map of a water authority area...
11 (1) Where— (a) the area of a water authority is...
12 (1) Every water authority shall, subject to paragraph 11(1) above,...
13 (1) An area map relating to any functions shall be...

PART III — ALTERATION OF BOUNDARIES

- 14 (1) Before making an order altering the boundaries of a...
15 (1) Before making an order altering the boundaries of a...
16 (1) Where an objection has been duly made by any...
17 A statutory instrument containing an order altering the boundaries of...
18 After making an order altering the boundaries of a water...
19 (1) Subject to sub-paragraph (2) below, if any person desires...

SCHEDULE 3 — Administration, Finance, etc, of Water Authorities and the
National Water Council

PART I — WATER AUTHORITIES

General

- 1 A water authority shall be a body corporate.
2 A water authority shall have power to do anything (whether...

Terms of office of members of water authorities

- 3 The chairman of a water authority and the other members...
4 (1) This paragraph applies to members of a water authority...

Vacation of office by members

- 5 (1) A member of a water authority may resign his...
6 (1) The office of a member of a water authority...

Appointments to fill casual vacancies

- 7 Where, for any reason whatsoever, the place of a member...
8 A person appointed by virtue of paragraph 7 above to...

Disqualification for, and re-appointment to, membership of water authorities

- 9 (1) Subject to the following provisions of this paragraph, a...
10 Subject to the provisions of this Schedule, a member of...

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

Remuneration and allowances

- 11 (1) A water authority— (a) shall pay their chairman and...

Officers

- 12 Sections 114 to 119 of the 1972 Act (which contain...
13 Without prejudice to paragraph 2 above, a water authority may—...

Meetings and proceedings of water authorities and committees

- 14 (1) In paragraph 1 of the Schedule to the Public...
15 (1) Subject to the following provisions of this paragraph, a...
16 The proceedings of a water authority, or of any committee...
17 (1) Subject to the following provisions of this paragraph, the...
18 (1) A minute of the proceedings of a meeting of...

Authentication of documents

- 19 Any notice or other document which a water authority are...

Contracts

- 20 (1) A water authority shall make rules with respect to...

Interpretation

- 21 In this Part of this Schedule references to a committee...
PART II — THE NATIONAL WATER COUNCIL
22 The Council shall be a body corporate.
23 The Council shall have power to do anything (whether or...
24 The members of the Council, other than the chairmen of...
25 (1) Any such member of the Council may by notice...
26 Paragraphs 6 and 9 above, except sub-paragraph (1)(a) of paragraph...
27 (1) The Council— (a) shall pay to the appointed members...
28 (1) The quorum of the Council and the arrangements relating...
29 The Council may arrange for the discharge of any of...
30 The validity of any proceedings of the Council shall not...
PART III — FINANCIAL AND ADMINISTRATIVE PROVISIONS

Revenue and reserves

- 31 (1) A water authority shall charge to revenue account in...
32 (1) The Ministers may with the approval of the Treasury...
33 Expenditure of the Council shall, so far as not defrayed...

Loans and grants

- 34 (1) A water authority and the Council may borrow money...
35 (1) The Secretary of State may with the approval of...
36 (1) The Treasury may guarantee, in such manner and on...
37 It shall be the duty of the Secretary of State...

Accounts and audit of authorities and Council

- 38 (1) It shall be the duty of a water authority...
39 All accounts of a water authority and the Council shall...

Annual reports of authorities, Council and Water Space Amenity Commission

- 40 (1) Each water authority, the Council and the Water Space...
41 It shall also be the duty of every water authority...

Relationship of Welsh and Severn-Trent Water Authorities

- 42 (1) The Severn-Trent Water Authority shall consult the Welsh
authority...
43 (1) Where the Severn-Trent Water Authority acquire an estate or...

SCHEDULE 4 — Supply of Water in Bulk and Default Powers

PART I — SECTIONS TO BE SUBSTITUTED FOR SECTIONS 12 AND 13 OF THE
WATER ACT 1945

PART II — MAKING AND CONFIRMATION OF WATER AUTHORITY ORDERS

- 1 No order made by a water authority under section 12...
2 A water authority shall, at least one month before they...
3 For at least one month before an application is made...
4 The water authority shall provide reasonable facilities for the
inspection...
5 Any person on application to the water authority shall be...
6 The Secretary of State, with or without a local inquiry,...
7 The Secretary of State may fix the date on which...
8 An order confirmed under this Part of this Schedule shall...
9 Any person on application to the water authority shall be...
10 Subsections (2) to (5) of section 250 of the Local...

SCHEDULE 5 — Land Drainage

PART I — REGIONAL AND LOCAL LAND DRAINAGE COMMITTEES

Regional Land Drainage Committees

- 1 (1) Every water authority shall establish not later than 1st...
2 (1) The chairman of a regional land drainage committee shall...
3 (1) In determining for the purposes of an order under...

Local Land Drainage Committees

- 4 (1) It shall be the duty of every regional land...
5 (1) Subject to sub-paragraphs (2) and (3) below, a local...
6 (1) a regional land drainage committee may at any time...

General

- 7 (1) Members of a regional or local land drainage committee...
8 (1) Paragraphs 6 to 10 and 19 of Schedule 3...
9 (1) Subject to the following provisions of this paragraph, a...

PART II — FINANCIAL PROVISIONS FOR LAND DRAINAGE

Notional local land drainage districts

- 10 For the purposes of this Part of this Schedule and...

Precepts by water authorities

- 11 (1) For the purposes of this paragraph the aggregate amount...

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

General drainage charges

- 12 (1) For section 1 of the Land Drainage Act 1961...
PART III — CALCULATION OF APPROPRIATE PENNY RATE PRODUCT
- 13 (1) For the purposes of the application of this Schedule...
PART IV — LONDON

General

- 14 Nothing in section 9 or section 19(1) above shall make...
15 The Greater London Council shall be entitled to appoint one...
16 (1) No part of the London excluded area shall be...

Duties and powers of Greater London Council and Thames Water Authority

- 17 (1) The following provisions of this Act, namely— section 4(5)(a)...
18 (1) If the Greater London Council intend to carry out...
19 (1) If the water authority intend— (a) to carry out...
20 The Minister may give the Greater London Council directions, either...
21 Paragraphs 11 to 14 of Schedule 14 to the London...

Amendments of enactments relating to London excluded area

- 22 (1) The amendments specified in this paragraph shall have effect...
23 In Schedule 14 to the London Government Act 1963 (land...

SCHEDULE 6 — Consequential, Transitional and Supplementary Provision
PART I — ADAPTATIONS OF 1972 ACT

General Adaptations of 1972 Act

- 1 Any reference in any of the applied provisions of the...
2 Any reference in any of the applied provisions to another...
3 Any reference in any of the applied provisions to an...

Specific adaptations of 1972 Act

- 4 In section 68, as it applies for the purposes of...
5 (1) In section 254, as it applies for the purposes...
6 (1) In section 255(2), as it applies for the purposes...
7 In section 256(1), as it applies for the purposes of...
8 (1) In section 257, as it applies for the purposes...
9 In section 259(4), as it applies for the purposes of...

Supplemental

- 10 (1) In this Part of this Schedule— " applied "...
PART II — LOCAL ACTS AND INSTRUMENTS
- 11 Subject to paragraph 12 below, any local statutory provision to...
12 Paragraph 11 above shall have effect subject to the provisions...
13 As from 1st April 1974 any local statutory provision to...
14 Paragraph 13 above shall have effect subject to any provision...
15 Where any local statutory provision is continued in force in...
16 A statutory instrument containing an order under paragraph 15 above...
17 This Part of this Schedule applies to any local statutory...

SCHEDULE 7 — Procedure Relating to Byelaws

PART I — BYELAWS MADE BY THE SECRETARY OF STATE OR THE
MINISTER

- 1 At least one month before a byelaw relating to the...
- 2 The appropriate Minister or Ministers shall also cause copies of...
- 3 For at least one month before the date on which...
- 4 A water authority shall provide reasonable facilities for the inspection...
- 5 Any person, on application to the water authority, shall be...
- 6 The appropriate Minister or Ministers may fix the date on...
- 7 Any byelaw made in accordance with this Part of this...
- 8 Any person on application to the water authority shall be...
- 9 If it appears to the appropriate Minister or Ministers that...
- 10 The production of a printed copy of a byelaw purporting...
- 11 Subsections (2) to (5) of section 250 of the 1972...

PART II — BYELAWS MADE BY WATER AUTHORITIES AND OTHER
STATUTORY WATER UNDERTAKERS AND INTERNAL DRAINAGE
BOARDS

- 12 (1) No byelaw made by an authority to whom this...
- 13 An authority to whom this Part of this Schedule applies...
- 14 For at least one month before an application is made...
- 15 The authority shall provide reasonable facilities for the inspection
without...
- 16 Any person on application to the authority shall be entitled...
- 17 (1) Subject to sub-paragraph (2) below, the appropriate Minister or...
- 18 The appropriate Minister or Ministers may fix the date on...
- 19 Any byelaw confirmed under this Part of this Schedule shall...
- 20 Any person on application to the authority shall be entitled...
- 21 If it appears to the appropriate Minister or Ministers that...
- 22 The production of a printed copy of a byelaw purporting...
- 23 Subsections (2) to (5) of section 250 of the 1972...

SCHEDULE 8 — Minor and Consequential Amendments, etc.

Salmon and Freshwater Fisheries Act 1923

- 1 In section 1(2) of the Salmon and Freshwater Fisheries Act...
- 2 In section 5 of that Act (saving for acts done...
- 3 In section 9(1) of that Act (prohibition of use of...
- 4 In section 11(2) of that Act (prohibition of placing or...
- 5 In section 14(3) of that Act (rules for fishing mill...
- 6 In subsections (1) and (3) of section 18 of that...
- 7 In section 19 of that Act (penalty for making obstructions...
- 8 In section 22(5) of that Act (penalty for injuring or...
- 9 In section 23(1) of that Act for the words "fishery...
- 10 In the provisos to sections 26(2) and 31(2) of that...
- 11 In section 36(3) of that Act (prohibition on using eel...
- 12 In section 39(1) of that Act (applications for orders) for...
- 13 In section 54(1) of that Act (general powers) for the...
- 14 In section 59(1) of that Act (byelaws) for the words...
- 15 In section 68 of that Act (power to enter lands)—...
- 16 In section 69 of that Act (order to enter suspected...
- 17 In section 70 of that Act (warrant to enter suspected...
- 18 For section 72 of that Act (powers of officers appointed...

19 For section 77(1) of that Act (certificates of conviction) there...

Land Drainage Act 1930

20 (1) In subsection (1) of section 1 of the Land...
 21 (1) In subsection (1) of section 4 of that Act...
 22 (1) In subsection (1) of section 8 of that Act...
 23 Section 11 of that Act (transfer of functions of internal...
 24 (1) For subsection (1) of section 22 of that Act...
 25 In section 23(1) of that Act (expenses) for the words...
 26 (1) For subsection (1) of section 24 of that Act...
 27 In the following provisions of that Act, namely, sections 26...
 28 (1) In section 47(1) of that Act (byelaws) for the...
 29 In subsections (1) and (5) of section 49 of that...
 30 In section 76(2) of that Act (accretion of land resulting...
 31 In section 81 of that Act (interpretation) for the definitions...

Public Health Act 1936

32 In section 15(1) of the Public Health Act 1936 (power...
 33 For section 20 of that Act (vesting of public sewers...
 34 In section 24(4) of the Public Health Act 1936 (lengths...
 35 Section 28 of that Act (communications between sewerage authorities'
 sewers)...
 36 (1) Notwithstanding the repeal by this Act of section 37...
 37 (1) Where a person proposes under section 34 of that...
 38 In section 40(4) of that Act (soil pipes and ventilating...
 39 (1) In section 48(1) of that Act (examination and testing...
 40 In section 50(1) of that Act (overflowing and leaking cesspools)...
 41 In section 137(1) of that Act, as amended by section...
 42 (1) In section 138(1) of the said Act of 1936,...

Diseases of Fish Act 1937

43 For section 8(2) of the Diseases of Fish Act 1937...

Public Health (Drainage of Trade Premises) Act 1937

44 Section 4(4) of the Public Health (Drainage of Trade Premises)...

Rural Water Supplies and Sewerage Act 1944

45 In section 1(1) and (4) of the Rural Water Supplies...
 46 Section 2 of that Act (contributions by county councils towards...

Water Act 1945

47 For subsections (1) and (2) of section 10 of the...
 48 (1) In the second paragraph of subsection (10) of section...
 49 In the proviso to section 15(1) of that Act (agreements...
 50 In section 19(1) of that Act (byelaws) for the words...
 51 In paragraph (a) of the proviso to section 22(2) of...
 52 In section 34 of that Act (temporary discharge of water...
 53 (1) The following provisions of this paragraph shall have effect...
 54 At the end of section 42(2) of that Act (accounts)...
 55 In section 55(1)(c) of that Act (authentication of documents) for...

- 56 In section 59(1) of the Water Act 1945 (interpretation), in...
- 57 In paragraphs 2 and 11 of Schedule 1 to that...
- 58 In paragraph 3 of that Schedule, for sub-paragraphs (ii) and...
- 59 In paragraph 12 of that Schedule— (a) for sub-paragraph (ii)...
- 60 In section 1(1) (interpretation) of Schedule 3 to that Act...

Water Act 1948

- 61 For section 9 of the Water Act 1948 (subscriptions to...
- 62 In section 14(1) of that Act (duty of statutory water...

Rivers (Prevention of Pollution) Act 1951

- 63 In section 2(1) of the Rivers (Prevention of Pollution) Act...

Town Development Act 1952

- 64 In section 2(2) of the Town Development Act 1952 (Exchequer...
- 65 (1) In section 7 of the Town Development Act 1952...

Local Government (Miscellaneous Provisions) Act 1953

- 66 For section 12 of the Local Government (Miscellaneous Provisions) Act...

Protection of Birds Act 1954

- 67 In section 14(1) of the Protection of Birds Act 1954...

Rural Water Supplies and Sewerage Act 1955

- 68 In section 1(1) of the Rural Water Supplies and Sewerage...

House of Commons Disqualification Act 1957

- 69 In Part III of Schedule 1 to the House of...

Highways Act 1959

- 70 (1) In subsection (4) of section 103 of the Highways...
- 71 For section 227(2) of that Act (determination of differences about...

Land Drainage Act 1961

- 72 (1) In subsection (1) of section 3 of the Land...
- 73 (1) In subsection (1) of section 34 of that Act...
- 74 In section 40(1) of that Act (powers of entry) for...
- 75 In section 43 of that Act (provision by drainage board...

Public Health Act 1961

- 76 In paragraph 8 of Schedule 2 to the Public Health...

Water Resources Act 1963

- 77 (1) In section 16(2) of the Water Resources Act 1963...
- 78 After section 24(9) of that Act (exceptions from general restrictions)...
- 79 At the end of section 38(2) of that Act (reference...

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

- 80 (1) For subsection (1) of section 60 of that Act...
81 (1) In subsection (8)(d) of section 63 of that Act...
82 In paragraph (d) of section 79(4) of that Act (byelaws...
83 (1) The following provisions of this paragraph shall have effect...
84 In section 120 of that Act (service of documents), in...
85 In section 135(1) of that Act (interpretation) for the definition...
86 In section 135(3) of that Act (definition of "local authority...

Harbours Act 1964

- 87 In section 58 of the Harbours Act 1964 (authorities not...

New Towns Act 1965

- 88 In section 34 of the New Towns Act 1965 (power...
89 For section 40 of that Act (power to transfer sewerage...

National Insurance (Industrial Injuries) Act 1965

- 90 (1) In relation to accidents happening to insured persons (within...

Sea Fisheries Regulation Act 1966

- 91 In section 18(3) of the Sea Fisheries Regulation Act 1966...

Countryside Act 1968

- 92 In section 22 of the Countryside Act 1968 (recreational facilities...

Agriculture Act 1970

- 93 In section 98 of the Agriculture Act 1970 (duty of...

Town and Country Planning Act 1971

- 94 In section 147(4) of the Town and Country Planning Act...

Salmon and Freshwater Fisheries Act 1972

- 95 In section 3(2) of the Salmon and Freshwater Fisheries Act...
96 In section 9(1) of that Act (production of fishing licences)...
97 For paragraph 18 of Schedule 1 to that Act (provisions...

Local Government Act 1972

- 98 In section 223(2) of the Local Government Act 1972 (appearance...

SCHEDULE 9 — Repeals