



Environment Act 1995

1995 CHAPTER 25

PART I

THE ENVIRONMENT AGENCY AND THE SCOTTISH ENVIRONMENT PROTECTION AGENCY

CHAPTER III

MISCELLANEOUS, GENERAL AND SUPPLEMENTAL PROVISIONS RELATING TO THE NEW AGENCIES ^[F1]AND THE NATURAL RESOURCES BODY FOR WALES]

Charging schemes

[^{F1}41B. Charging schemes in respect of abstraction and impounding licences: joint charging schemes

- (1) A charging scheme under section 41 relating to licences under Chapter II of Part II of the 1991 Act may be made by both of the appropriate agencies acting jointly (referred to in this section as a “joint charging scheme”), if that scheme prescribes charges in relation to licences granted within a combined area that—
 - (a) is partly in England and partly in Wales; and
 - (b) includes all of, or any part of, the catchment areas of the rivers Dee, Wye and Severn.
- (2) A joint charging scheme must—
 - (a) designate the combined area to which it applies; and
 - (b) specify the manner in which the sums recovered by way of charges prescribed by the scheme are to be apportioned between, and paid to, each appropriate agency.
- (3) Subsections (9) and (9A) of section 41 do not apply to joint charging schemes.

Status: Point in time view as at 28/04/2022.

Changes to legislation: Environment Act 1995, Section 41B is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) Subject to subsection (5), the appropriate agencies may not make a joint charging scheme unless the provisions of the scheme have been approved under section 42 by the Secretary of State and the Welsh Ministers acting jointly.
- (5) Section 42 applies in relation to joint charging schemes as though references in that section to—
- (a) anything done by or in relation to either the Secretary of State or the Welsh Ministers were references to that thing being done by or in relation to the Secretary of State and the Welsh Ministers acting jointly;
 - (b) a charging authority were references to both of the appropriate agencies acting jointly.
- (6) This section does not affect any power of an appropriate agency to make a charging scheme under section 41.]

Textual Amendments

- F1** Ss. 41B, 41C inserted (with effect in accordance with art. 1(3) of the amending S.I.) by [The Natural Resources Body for Wales \(Consequential Provision\) Order 2013 \(S.I. 2013/1821\)](#), arts. 1(2), **19** (with arts. 24, 28)

Status:

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