



# Water Resources Act 1963

## 1963 CHAPTER 38

### PART X

#### MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

#### **123 Application of Act to Crown**

- (1) The provisions of this Act shall not apply—
  - (a) to anything done by or on behalf of the Crown, other than anything done by or on behalf of the Water Resources Board, or to anything done by a member of a visiting force in his capacity as a member of that force;
  - (b) to any land which is in the occupation of a government department or any other land in which there is a Crown or Duchy interest and which is occupied in right of that interest, or to any land occupied by or for the purposes of a visiting force.
- (2) Without prejudice to the preceding subsection, no power of compulsory acquisition conferred on a river authority by or under Part VI of this Act, no other compulsory power so conferred (including any power conferred on river authorities by virtue of section 69(3) of this Act) and no power of entry or inspection conferred by or under this Part of this Act shall, except with the consent of the appropriate authority, be exercisable in relation to any land in which there is a Crown or Duchy interest.
- (3) Subject to the preceding subsections, the provisions of this Act shall have effect in relation to land in which there is a Crown or Duchy interest as they have effect in relation to land in which there is no such interest.
- (4) Nothing in this section shall affect the operation of section 5 of, or Schedule 3 to, this Act or of any statutory provision as adapted by that Schedule.
- (5) In this section " Crown or Duchy interest" means an interest belonging to Her Majesty in right of the Crown or of the Duchy of Lancaster, or to the Duchy of Cornwall, or belonging to a government department, or held in trust for Her Majesty for the purposes of a government department, " visiting force " means any such body, contingent or detachment of the forces of any country as is a visiting force for the

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*Status: This is the original version (as it was originally enacted).*

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purposes of any of the provisions of the Visiting Forces Act 1952, and " the appropriate authority " has the same meaning as in section 199 of the Town and Country Planning Act 1962; and the provisions of subsection (6) of that section as to the determination of questions shall apply for the purposes of this section.