



# Water Resources Act 1963

## 1963 CHAPTER 38

### PART IV

#### CONTROL OF ABSTRACTION AND IMPOUNDING OF WATER

##### *General provisions as to abstraction of water*

#### **32 Succession to licences to abstract water**

- (1) Where the holder of a licence under this Act to abstract water (in this section referred to as " the original holder ") is the occupier of the whole of the land specified in the licence as the land on which water abstracted in pursuance of the licence is to be used (in this section referred to as " the relevant land "), and either, being an individual, he dies, or by reason of any other act or event the original holder, whether an individual or not, ceases to be the occupier of the whole of the relevant land and does not continue to be the occupier of any part of that land, and (either immediately after his death or the occurrence of that other act or event or subsequently) another person (in this section referred to as " the successor ") becomes the occupier of the whole of the relevant land.—
  - (a) the original holder (except where, being an individual, he has died) shall cease to be the holder of the licence, and
  - (b) the successor shall become the holder of the licence.
- (2) Where the preceding subsection applies, the successor shall cease to be the holder of the licence at the end of the period of one month beginning with the date on which he became the occupier of the relevant land unless before the end of that period he has given to the river authority notice of the change in the occupation of the relevant land.
- (3) Provision may be made by regulations under this Act for conferring on a person who, after the death of the original holder or the occurrence of any other act or event whereby the original holder ceases to be the occupier of the relevant land or of part of that land, becomes the occupier of part of the relevant land, a right in such circumstances as may be specified in the regulations—

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (a) to become the holder of the licence, subject to provisions corresponding to the last preceding subsection, or
  - (b) to apply for, and to the grant of, a new licence containing provisions (as to quantities of water and otherwise) determined in accordance with the regulations by reference to the provisions of the original licence,
- or for conferring on the original holder, where he continues to be the occupier of part of the relevant land but ceases to be the occupier of another part of that land, a right, in such circumstances as may be specified in the regulations, to apply for, and to the grant of, a new licence as mentioned in paragraph (b) of this subsection.
- (4) Any regulations made in pursuance of the last preceding subsection may provide that, in relation to an application for a licence made by virtue of the regulations, or to a person entitled to make such an application, the provisions of this Part of this Act shall have effect subject to such exceptions and modifications as may be specified in the regulations.
  - (5) Where an order under section 9 or section 23 of the Water Act 1945 provides for the transfer of, or the constitution of a joint board or joint committee to carry on, exercise or perform, any undertaking, rights or functions of the holder of a licence under this Act to abstract water, the order shall also provide for the transfer of the licence; and where such a licence is transferred by virtue of any such order, or by virtue of any other statutory provision, or is included in any sale or lease under section 122 of the Public Health Act 1936, the person to whom it is transferred, sold or leased shall become (in the case of such a transfer, to the extent specified in the statutory provision in question, and, in the case of a lease, for the period of the lease) the holder of the licence for the purposes of this Act.
  - (6) Where any person who becomes the holder of a licence by virtue of the provisions of this section or of regulations made thereunder gives notice to the river authority in accordance with those provisions, or any person who becomes the holder of a licence by virtue of the last preceding subsection notifies the river authority that he has become the holder of the licence, the river authority shall vary the licence accordingly ; and where, by virtue of the provisions of this section or of any such regulations a person ceases to be the holder of a licence in such circumstances that no other person thereupon becomes the holder of it, the licence shall cease to have effect.
  - (7) The preceding provisions of this section shall have effect without prejudice to the exercise of any power to revoke or vary licences under this Part of this Act.