



Water Act 1973

1973 CHAPTER 37

PART IV

MISCELLANEOUS

[^{F1}38 Interpretation.

(1) In this Act, unless the context otherwise requires, the following expressions have the following meanings respectively, that is to say—

“the appropriate Minister or Ministers” and “the Ministers” have the meanings assigned to them by section 1 above;

.....^{F2}
“county”, “district”, “county council”, and “district council”, mean respectively a county, district, county council and district council established by the 1972 Act;

“development corporation” means a development corporation established under the ^{M1}New Towns Act 1965 or any Act replaced by that Act;

“existing local authority” means a local authority within the meaning of the ^{M2}Local Government Act 1933;

“joint water board” and “joint water committee” mean respectively a joint board and a joint committee which has been constituted under section 9 of the ^{M3}Water Act 1945 and on which a statutory water company is represented;

“land drainage” includes defence against water (including sea water), irrigation other than spray irrigation, warping and the provision of flood warning systems, and “land drainage functions” shall be construed accordingly;

“local authority” means a county council, . . . ^{F3} a district council, a London borough council or the Common Council of the City of London;

“local land drainage committee” and “regional land drainage committee” mean respectively the committees [^{F4}referred to by those names in sections 2 and 4 respectively of the ^{M4}Land Drainage Act 1976];

Changes to legislation: There are currently no known outstanding effects for the Water Act 1973, Section 38. (See end of Document for details)

“local land drainage district” means a local land drainage district [F5established or continued under section 4 of the M5Land Drainage Act 1976] and any part of a water authority area which is to be treated as a local land drainage district for the purposes of [F5sections 45 to 49 of that Act (in accordance with section 89(2) of that Act)];

“local statutory provision” means a provision of a local Act (including an Act confirming a provisional order) or a provision of a public general Act passed with respect to some area or a provision of an instrument made under any such local or public general Act or of an instrument in the nature of a local enactment made under any other Act;

[F6“London excluded area” has the meaning given by section 116 of the M6Land Drainage Act 1976;]

“the 1972 Act” means the M7Local Government Act 1972;

“public authority” includes a statutory water company;

“public sewer” has the same meaning as in the M8Public Health Act 1936 and “private sewer” shall be construed accordingly;

..... F7
“river authority”, “underground strata”, “inland water”, “watercourse” and “water resources” have the same meanings respectively as in the M9Water Resources Act 1963;

“statutory water company” means a company authorised immediately before the passing of this Act by any local statutory provision to supply water or a company in whom the assets of any company so authorised have subsequently become vested;

“statutory water undertakers” has the meaning assigned to it by section 11(6) above;

“supply of water in bulk” and “water fittings” have the same meanings as in the M10Water Act 1945;

(2) F8

(3) Except in so far as the context otherwise requires, any reference in this Act to an enactment shall be construed as a reference to that enactment as amended, applied or extended by or under any other enactment, including this Act.]

Textual Amendments

- F1** Ss. 37–39 repealed (E.W.) by [Water Act 1989](#) (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)
- F2** Definition of “the Council” repealed by [Water Act 1983](#) (c. 23, SIF 130), ss. 3(3), 11(3), Sch. 2 para. 3(1), **Sch. 5 Pt I**
- F3** Words repealed by [Local Government Act 1985](#) (c. 51, SIF 81:1), ss. 1, 102(2)(3), **Sch. 17**
- F4** Words substituted by [Land Drainage Act 1976](#) (c. 70, SIF 73:1), **Sch. 7 para. 1(b)(i)**
- F5** Words substituted by [Land Drainage Act 1976](#) (c. 70, SIF 73: 1), **Sch. 7 para. 1(b)(ii)**
- F6** Definition substituted by S.1. 1986/208, art. 5(1), Sch. I Pt. I
- F7** Definition of “regional water board”, and “water development board” repealed by [Water Act 1983](#) (c. 23, SIF 130), ss. 3(3), 11(3), Sch. 2 para. 3(1), **Sch. 5 Pt. I**
- F8** S. 38(2) repealed by [Interpretation Act 1978](#) (c. 30, SIF 115:1), **Sch. 3**

Changes to legislation: There are currently no known outstanding effects
for the Water Act 1973, Section 38. (See end of Document for details)

Marginal Citations

- M1** 1965 c. 59
- M2** 1933 c. 51
- M3** 1945 c. 42 (**130**)
- M4** 1976 c. 70 (**73:1**)
- M5** 1976 c. 70 (**73:1**)
- M6** 1976 c. 70 (**73:1**)
- M7** 1972 c. 70 (**81:1**)
- M8** 1936 c. 49 (**100:1**)
- M9** 1963 c. 38 (**130**)
- M10** 1945 c. 42 (**130**)

Changes to legislation:

There are currently no known outstanding effects for the Water Act 1973, Section 38.