



Water Industry Act 1991

1991 CHAPTER 56

PART IV

SEWERAGE SERVICES

CHAPTER III

TRADE EFFLUENT

Agreements with respect the disposal etc. of trade effluent

131 Review by ^{F1}[the ^{F2}appropriate agency]] of agreements relating to special category effluent.

- (1) Where any person, as the owner or occupier of any trade premises, is (whether or not in accordance with a notice under section 132 below) for the time being a party to any agreement under section 129 above with respect to, or to any matter connected with, the reception or disposal of special category effluent, ^{F3}the ^{F2}appropriate agency]] may review the questions—
 - (a) whether the operations which, for the purposes of or in connection with the reception or disposal of that effluent, are carried out in pursuance of the agreement should be prohibited; and
 - (b) whether, if they are not prohibited, any requirements should be imposed as to the conditions on which they are carried out.
- (2) Subject to subsection (3) below, ^{F3}the ^{F2}appropriate agency]] shall not review any question under this section unless—
 - (a) the agreement by virtue of which the operations in question are carried out has not previously been the subject-matter of a review and was entered into—
 - (i) before 1st September 1989; or
 - (ii) in contravention of section 133 below;

Status: Point in time view as at 02/05/2018. This version of this provision has been superseded.

Changes to legislation: Water Industry Act 1991, Section 131 is up to date with all changes known to be in force on or before 20 September 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)

- (b) a period of more than two years has elapsed since the time, or last time, when notice of [^{F3}the [^{F4}appropriate agency's]] determination on any reference or review relating to that agreement was served under section 132 below on the owner or occupier of the trade premises in question; or
 - (c) there has, since the time, or last time, when such a notice was so served, been a contravention of any provision which was included in compliance with a requirement of a notice under section 132 below in the agreement by virtue of which the operations in question are carried out.
- (3) Subsection (2) above shall not apply if the review is carried out—
- (a) for the purpose of enabling Her Majesty's Government in the United Kingdom to give effect to any [^{F5}EU] obligation or to any international agreement to which the United Kingdom is for the time being a party; or
 - (b) for the protection of public health or of flora and fauna dependent on an aquatic environment.
- (4) References in this section to an agreement include references to an agreement as varied from time to time by a notice under section 132 below.

Textual Amendments

- F1** Words in s. 131 sidenote substituted (1.4.1996) by 1995 c. 25, s. 120(1), **Sch. 22 para. 109** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**
- F2** Words in s. 131 substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 243(2)** (with Sch. 7)
- F3** Words in s. 131 substituted (1.4.1996) by 1995 c. 25, s. 120(1), **Sch. 22 para. 109** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**
- F4** Words in s. 131(2)(b) substituted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 243(3)** (with Sch. 7)
- F5** Words in Act substituted (22.4.2011) by The Treaty of Lisbon (Changes in Terminology) Order 2011 (S.I. 2011/1043), arts. 2, 3, 6 (with art. 3(2)(3), 4(2), 6(4)(5))

Status:

Point in time view as at 02/05/2018. This version of this provision has been superseded.

Changes to legislation:

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