



Water Industry Act 1991

1991 CHAPTER 56

PART VI

UNDERTAKERS' POWERS AND WORKS

CHAPTER I

UNDERTAKERS' POWERS

Entry to land etc. by water undertakers

168 Entry for works purposes.

- (1) Any person designated in writing for the purpose by a relevant undertaker may enter any premises for any of the purposes specified in subsection (2) below.
- (2) The purposes mentioned in subsection (1) above are—
 - (a) the carrying out of any survey or tests for the purpose of determining—
 - (i) whether it is appropriate and practicable for the undertaker to exercise any relevant works power; or
 - (ii) how any such power should be exercised;
 - or
 - (b) the exercise of any such power.
- (3) The power, by virtue of subsection (1) above, of a person designated by a relevant undertaker to enter any premises for the purposes of carrying out any survey or tests shall include power—
 - (a) to carry out experimental borings or other works for the purpose of ascertaining the nature of the sub-soil; and
 - (b) to take away and analyse such samples of water or effluent or of any land or articles as the undertaker—

Status: Point in time view as at 07/09/2023.

Changes to legislation: Water Industry Act 1991, Section 168 is up to date with all changes known to be in force on or before 15 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)

- (i) considers necessary for the purpose of determining either of the matters mentioned in subsection (2)(a) above; and
 - (ii) has authorised that person to take away and analyse.
- (4) Part II of Schedule 6 to this Act shall apply to the rights and powers conferred by this section.
- (5) In this section “relevant works power” means any power conferred by any of the provisions of sections 158, 159, 161, 163 and 165 above, other than section 161(3).

Modifications etc. (not altering text)

- C1** S. 168 restricted (1.4.1996) by 1980 c. 66, s. 100(6B)(b) (as inserted (1.4.1996) by 1994 c. 19, s. 22(1), **Sch. 7 Pt. I para. 9** (with ss. 54(5)(7), 55(5)); S.I. 1996/396, art. 3, **Sch. 1**)

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