



# Water Resources Act 1991

## CHAPTER 57

### WATER RESOURCES ACT 1991

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194 The main river map for Wales  
194A Inspection and copies  
194B Replacing the main river map for Wales  
194C Determinations as to main rivers  
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204 Restriction on disclosure of information.

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218 Judicial disqualification.

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### *Membership*

1 (1) Subject to the following provisions of this paragraph, a...

#### *Remuneration, pensions etc.*

2 (1) The Authority shall pay to its members such remuneration,...

#### *Staff*

3 (1) The Authority may, with the approval of the Secretary...

#### *Proceedings of Authority*

4 Subject to the following provisions of this Schedule and to...

#### *Delegation of powers*

5 Subject to section 106 of this Act, anything authorised or...

#### *Interests of members*

6 (1) A member who is in any way directly or...

#### *Vacancies and defective appointments*

7 The validity of any proceedings of the Authority shall not...

#### *Minutes*

8 (1) Minutes shall be kept of proceedings of the Authority,...

#### *Application of seal and proof of instruments*

9 (1) The application of the seal of the Authority shall...

#### *Documents served etc. by or on the Authority*

10 (1) Any document which the Authority is authorised or required...

#### *Interpretation*

11 In this Schedule— “the appropriate Minister”, in relation to any...

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#### *Powers to transfer functions or property*

1 (1) The appropriate agency may at any time apply to...

#### *Consultation with affected body*

2 (1) Before determining whether to make an order on an...

#### *Public consultation*

3 (1) If the Ministers propose to make an order on...

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*Supplemental provisions of order*

- 4 (1) An order under this Schedule may contain such incidental,...

*Objection to final order by affected bodies*

- 5 (1) After making an order under this Schedule, the Ministers,...

*Public notice of order*

- 6 (1) After making an order under this Schedule, the Ministers...

*Challenge of order*

- 7 (1) Subject to sub-paragraph (3) below, if any person aggrieved...

*Effect of order or agreement*

- 8 (1) Where, by virtue of an order or agreement under...

*Ministers' expenses*

- 9 (1) The costs incurred by the Ministers in connection with...

*Compensation for officers and staff*

- 10 (1) The Ministers shall by regulations make provision requiring the...

*Power to amend local enactments*

- 11 (1) If it appears to the Ministers by whom an...

*Interpretation*

- 12 (1) In this Schedule “local enactment” means—

SCHEDULE 3 —

*Power to make order*

- 1 (1) The relevant Minister may by order made by statutory...

*Consultation and notice of intention to make order*

- 2 (1) Before making an order under this Schedule, the relevant...

*Objections to draft order and making of order*

- 3 (1) Before making an order under this Schedule, the relevant...

*Procedure for making of order*

- 4 (1) Where the relevant Minister makes an order under this...

*Notice after making of order*

- 5 (1) Subject to sub-paragraph (2) below, after making an order...

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*Questioning of order in courts*

6 (1) Subject to sub-paragraph (3) below, if any person desires...

SCHEDULE 4 —

Part I — MEMBERSHIP OF FLOOD DEFENCE COMMITTEES

*Terms of membership*

1 (1) Members of a flood defence committee (that is to...

*Membership of constituent council as qualification for membership of committee*

2 (1) Members of a flood defence committee appointed by or...

*Disqualification for membership of committee*

3 (1) Subject to the following provisions of this paragraph, a...

*Vacation of office by disqualifying event*

4 (1) The office of a member of a flood defence...

*Resignation of office by members of regional committee*

5 (1) The chairman of a regional flood defence committee may...

*Resignation of office by members of local committee*

6 (1) The chairman of a local flood defence committee may...

*Appointments to fill casual vacancies*

7 (1) Where, for any reason whatsoever, the office of a...

*Eligibility of previous members for re-appointment*

8 Subject to the provisions of this Schedule, a member of...

*Appointment of deputies*

9 (1) Subject to the following provisions of this paragraph, a...

*Payments to past and present chairmen and to members*

10 (1) The Authority shall pay to any person who is...

Part II — PROCEEDINGS OF FLOOD DEFENCE COMMITTEES

*Appointment of sub-committees, joint sub-committees etc.*

11 (1) For the purpose of carrying out any functions in...

*Delegation of functions to sub-committees etc.*

12 (1) Subject to section 106 of this Act and to...

*Rules of procedure*

13 (1) A flood defence committee may, with the approval of...

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*Declarations of interest etc.*

- 14 (1) Subject to the following provisions of this paragraph, the...

*Authentication of documents*

- 15 (1) Any notice or other document which a flood defence...

*Proof and validity of proceedings*

- 16 (1) A minute of the proceedings of a meeting of...

SCHEDULE 5 — PROCEDURE RELATING TO STATEMENTS ON MINIMUM  
ACCEPTABLE FLOW

*Application of Schedule*

- 1 (1) This Schedule applies in the case of any draft...

*Notice of proposed statement*

- 2 (1) Before submitting the draft statement to the Secretary of...

*Duty to provide copy of draft statement*

- 3 The appropriate agency shall, at the request of any person,...

*Approval of draft statement*

- 4 (1) The Secretary of State may approve the statement either...

*Notice and inspection of approved statement*

- 5 (1) Where a statement is approved under this Schedule, whether...

SCHEDULE 6 — Orders relating to abstraction of small quantities and compulsory  
registration of protected rights

*Notice of draft order*

- 1 (1) An application to the Secretary of State for an...

*Duty to provide copy of draft order*

- 2 Where an application for an order is made, the appropriate...

*Making of order*

- 3 (1) Where an application for an order is made, the...

*Notice and inspection of final order*

- 4 (1) Where an order is made under section 27A(1) or...

SCHEDULE 7 — LICENCES OF RIGHT

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*Applications for licences of right under paragraph  
30 or 31 of Schedule 26 to the Water Act 1989*

1 (1) Paragraphs 30 and 31 of Schedule 26 to the...

*Section 48 of this Act*

2 Subsection (2) of section 48 of this Act shall not...

*Section 55 of this Act*

3 No application shall be made under section 55 of this...

*Section 60 of this Act*

4 (1) Where the plaintiff in any action brought against the...

*Section 61 of this Act*

5 (1) No compensation shall be payable under section 61 of...

*Licences of right*

6 (1) In this Schedule references to a licence of right...

**SCHEDULE 8 — PROCEEDINGS ON APPLICATIONS FOR DROUGHT  
ORDERS**

1 (1) The applicant for a drought order shall—

*Objections to and making of orders*

2 (1) If any objection is duly made with respect to...

*Notice after making of order*

3 After a drought order has been made, the person on...

**SCHEDULE 9 — COMPENSATION IN RESPECT OF DROUGHT ORDERS**

*Compensation to be made in the case of all drought orders*

1 Where a drought order has been made, compensation in respect...

*Compensation to be made in the case of ordinary orders only*

2 (1) This paragraph shall apply for determining the compensation to...

*Claims for compensation: general*

3 (1) A claim for compensation under this Schedule shall be...

*Claims for compensation under paragraph 2*

4 (1) A claim for compensation under paragraph 2 above may...

Schedule 10 — Discharge consents



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*Application for consent*

- 1 Discharge consents

*Consultation in connection with applications*

- 2 Discharge consents

*Consideration and determination of applications*

- 3 Discharge consents
- 4 Discharge consents

*Reference to Secretary of State of certain applications for consent*

- 5 Discharge consents

*Consents without applications*

- 6 Discharge consents

*Revocation of consents and alteration and imposition of conditions*

- 7 Discharge consents

*Restriction on variation and revocation of consent and previous variation*

- 8 Discharge consents

*General review of consents*

- 9 Discharge consents

*Applications for variation*

- 10 Discharge consents

*Transfer of consents*

- 11 Discharge consents

SCHEDULE 11 — WATER PROTECTION ZONE ORDERS

*Application for consent*

- 1 (1) Where the appropriate agency applies to the Secretary of...

*Supply of copies of draft orders*

- 2 Where the appropriate agency has applied for an order under...

*Modifications of proposals*

- 3 (1) On an application for an order under section 93...

*Consideration of objections etc.*

- 4 Without prejudice to section 53 of the 1995 Act (inquiries...

SCHEDULE 12 — NITRATE SENSITIVE AREA ORDERS

*Status: Point in time view as at 31/12/2020.*

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## Part I — APPLICATIONS BY THE AGENCY FOR DESIGNATIONS ORDERS

*Orders made only on application*

### 1 NITRATE SENSITIVE AREA ORDERS

*Procedure for applications*

### 2 NITRATE SENSITIVE AREA ORDERS

#### Part II — ORDERS CONTAINING MANDATORY PROVISIONS

*Publication of proposal for order containing mandatory provisions*

### 3 NITRATE SENSITIVE AREA ORDERS

*Supply of copies of proposed orders*

### 4 NITRATE SENSITIVE AREA ORDERS

*Modifications of proposals*

### 5 NITRATE SENSITIVE AREA ORDERS

*Consideration of objections et cetera laetc.*

### 6 NITRATE SENSITIVE AREA ORDERS

*Consent of Treasury for payment provisions*

### 7 NITRATE SENSITIVE AREA ORDERS

## SCHEDULE 13 — TRANSITIONAL WATER POLLUTION PROVISIONS

*Transitional power to transfer power of determination with respect to water pollution matters to the Agency*

### 1 TRANSITIONAL WATER POLLUTION PROVISIONS

*Order under section 32(3) of the 1974 Act*

### 2 TRANSITIONAL WATER POLLUTION PROVISIONS

*Pre-1989 transitional provisions*

### 3 TRANSITIONAL WATER POLLUTION PROVISIONS

*Discharge consents on application of undertakers et cetera laetc.*

### 4 TRANSITIONAL WATER POLLUTION PROVISIONS

## SCHEDULE 14 — ORDERS TRANSFERRING MAIN RIVER FUNCTIONS TO THE APPROPRIATE AGENCY

*Procedure on application for order*

### 1 As soon as any scheme under section 108 of this...

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*Order making procedure etc.*

- 2 (1) Before either of the Ministers makes an order under...

*Determination of whether to make order*

- 3 (1) Before either of the Ministers makes an order under...

*Notice of orders*

- 4 As soon as may be after an order under section...

*Challenge to orders*

- 5 (1) If any person aggrieved by an order under section...

*Power to make regulations for purposes of Schedule etc.*

- 6 The Ministers may make regulations in relation to—

SCHEDULE 15 — SUPPLEMENTAL PROVISIONS WITH RESPECT TO  
DRAINAGE CHARGES

*Raising of drainage charge*

- 1 (1) A drainage charge— (a) shall be raised by the...

*Publication of drainage charge*

- 2 (1) A drainage charge shall not be valid unless notice...

*Occupiers liable for drainage charge*

- 3 (1) Subject to paragraphs 4 and 5 below—

*Cases where identity of occupiers in doubt*

- 4 (1) The appropriate agency may serve on the owner of...

*Arrangements for owner of land to pay drainage charge*

- 5 (1) Subject to paragraph 6 below, the appropriate agency may...

*Power of occupier to prevent arrangements under paragraph 5*

- 6 (1) The occupier of any chargeable land may, by notice...

*Assessment of chargeable land to drainage charge*

- 7 (1) Where land is chargeable land during part only of...

*Partial exemption of commercial woodlands*

- 8 (1) The sum payable by way of a drainage charge...

*Returns with respect to land*

- 9 (1) The appropriate agency may serve on any person appearing...

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*Power to correct erroneous assessments etc.*

- 10 (1) The appropriate agency may, as respects any drainage charge...

*Appeals against demands for drainage charges*

- 11 (1) If any person is aggrieved by—

*Recovery of drainage charges*

- 12 (1) Arrears of any drainage charge may be recovered by...

*Use of certain authorities as agents for assessment, collection etc. of drainage charges*

- 13 (1) The appropriate agency and any relevant authority may enter...

SCHEDULE 16 — SCHEMES IMPOSING SPECIAL DRAINAGE CHARGES

*Submission of scheme*

- 1 (1) Before submitting a special charges scheme to either of...

*Confirmation of scheme*

- 2 (1) Subject to the following provisions of this Schedule the...

*Notice of proposed order*

- 3 (1) Before either of the Ministers makes an order confirming...

*Determination of whether to make order*

- 4 (1) Before either of the Ministers makes an order confirming...

*Procedure and other matters after the making of an order*

- 5 (1) After either of the Ministers has made an order...

*Orders subject to special parliamentary procedure*

- 6 (1) If— (a) no such memorial as is mentioned in...

*Notice of unconfirmed orders*

- 7 As soon as may be after an unconfirmed order has...

*Challenge to unconfirmed orders*

- 8 (1) If any person aggrieved by an unconfirmed order desires...

*Power to make regulations for purposes of Schedule*

- 9 The Ministers may make regulations in relation to—

*Interpretation*

- 10 (1) In this Schedule— “special charges scheme” means a scheme...

SCHEDULE 17 — ORDERS WITH RESPECT TO NAVIGATION TOLLS

*Status: Point in time view as at 31/12/2020.*

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*Orders to be made by statutory instrument*

- 1 The power to make an order under section 143 of...

*Inquiries*

- 2 (1) The Secretary of State may hold inquiries for the...

*Notice of order*

- 3 (1) After the Secretary of State has made an order...

*Orders subject to special parliamentary procedure*

- 4 (1) If— (a) no such memorial as is mentioned in...

SCHEDULE 18 — MODIFICATION OF COMPENSATION PROVISION ETC IN  
RELATION TO THE CREATION OF NEW RIGHTS

*Compensation enactments*

- 1 Subject to the following provisions of this Schedule, the enactments...

*Adaptation of the Compulsory Purchase Act 1965*

- 2 (1) The Compulsory Purchase Act 1965 (in the following provisions...

*Section 7 of the 1965 Act*

- 3 For section 7 of the 1965 Act (measure of compensation)...

*Section 8 of the 1965 Act*

- 4 Section 8(1) of the Compulsory Purchase Act 1965 has effect...

*Effect of deed poll*

- 5 The following provisions of the 1965 Act (being provisions stating...

*Section 11 of the 1965 Act*

- 6 Section 11 of the 1965 Act (powers of entry) shall...

*Section 20 of the 1965 Act*

- 7 Section 20 of the 1965 Act (protection for interests of...

*Section 22 of the 1965 Act*

- 8 Section 22 of the 1965 Act (protection of acquiring authority's...

SCHEDULE 19 — ORDERS CONFERRING COMPULSORY WORKS POWERS

*Applications for orders*

- 1 (1) Where the appropriate agency applies to either of the...

*Supply of copies of draft orders*

- 2 Where the appropriate agency is applying for a compulsory works...

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*Powers on an application*

3 (1) On an application for a compulsory works order, the...

*Consideration of objections etc.*

4 (1) If, where an application for a compulsory works order...

*Notice after making of order*

5 (1) As soon as practicable after a compulsory works order...

*Compulsory acquisition provisions*

6 (1) Without prejudice to the provisions of Schedule 23 to...

*Compensation in certain cases of compulsory acquisition*

7 Where— (a) in connection with any engineering or building operations...

*Compensation in respect of powers other than acquisition powers*

8 (1) If the value of any interest in any relevant...

*Protection of public undertakings*

9 The provisions of section 179 and paragraphs 1, 2 and...

*Interpretation*

10 In this Schedule— “bridleway” and “footpath” have the same meanings...

SCHEDULE 20 — Supplemental Provisions with respect to Powers of Entry

*Notice of entry*

1 (1) Without prejudice to any power exercisable by virtue of...

*Warrant to exercise power*

2 (1) If it is shown to the satisfaction of a...

*Manner of exercise of powers*

3 A person designated as the person who may exercise any...

*Supplementary powers of person making entry etc.*

4 A person authorised to enter any premises or vessel by...

*Duty to secure premises*

5 A person who enters any premises or vessel in the...

*Compensation*

6 (1) Where any person exercises any power to which this...

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*Obstruction of person exercising power*

7 A person who intentionally obstructs another person acting in the...

*Interpretation*

8 (1) In this Schedule— “relevant authority”, in relation to a...

SCHEDULE 21 — CCOMPENSATION ETC. IN RESPECT OF CERTAIN WORKS POWER

*Compensation in respect of street works powers*

1 (1) This paragraph applies, in relation to the appropriate agency,...

*Compensation in respect of pipe-laying works on private land*

2 (1) If the value of any interest in any relevant...

*Assessment of compensation under paragraph 2*

3 (1) Any question of disputed compensation under paragraph 2 above...

*Compensation in respect of discharges for works purposes*

4 (1) It shall be the duty of the appropriate agency—...

*Compensation in respect of flood defence and drainage works*

5 (1) Where injury is sustained by any person by reason...

SCHEDULE 22 — PROTECTION FOR PARTICULAR UNDERTAKINGS

*General provisions protecting undertakings*

1 (1) Nothing in any of the provisions of this Act...

*Protection for statutory powers and jurisdiction*

2 (1) Subject to sub-paragraph (2) below, nothing in—

*Special protection for certain undertakings in respect of street works*

3 (1) Subject to the following provisions of this paragraph and...

*Protection for railways in connection with carrying out of flood defence functions*

4 (1) Without prejudice to the preceding provisions of this Schedule,...

*Protection for electronic communications networks*

5 Part 10 of Schedule 3A to the Communications Act 2003...

*Interpretation*

6 In this Schedule “railway company” means the British Railways Board,...

SCHEDULE 23 — MINERAL RIGHTS

*Status: Point in time view as at 31/12/2020.*

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*Acquisition of mineral rights*

- 1 (1) This paragraph applies in each of the following cases,...

*Notice required for the working of underlying mines*

- 2 (1) If the owner of any mines or minerals underlying...

*Mining communications*

- 3 (1) If the working of any mines or minerals is...

*Compensation relating to severance*

- 4 (1) Where mines or minerals underlying any part of the...

*Powers of entry*

- 5 (1) Any person designated in writing for the purpose by...

*No exemption for injury to mines and minerals*

- 6 Nothing in any provision of this Act or of any...

*Interpretation*

- 7 (1) In this Schedule— “conveyance” has the same meaning as...

SCHEDULE 24 — DISCLOSURE OF INFORMATION

Part I — PERSONS IN RESPECT OF WHOSE FUNCTIONS  
DISCLOSURE MAY BE MADE

Part II — ENACTMENTS ETC. IN RESPECT OF WHICH  
DISCLOSURE MAY BE MADE

SCHEDULE 25 — BYELAW - MAKING POWERS OF THE APPROPRIATE  
AGENCY

*Byelaws for regulating use of inland waters*

- 1 (1) Subject to the following provisions of this paragraph but...

*Byelaws for regulating the use of navigable waters etc.*

- 2 (1) The appropriate agency shall have power to make such...

*Byelaws for regulating the use of the appropriate agency's waterways etc.*

- 3 (1) The appropriate agency shall have power to make such...

*Byelaws for controlling certain forms of pollution*

- 4 (1) The appropriate agency may by byelaws make such provision...

*Byelaws for flood defence and drainage purposes*

- 5 (1) The appropriate agency may make such byelaws in relation...



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*Byelaws for purposes of fisheries functions*

6 (1) The appropriate agency shall have power, in relation to...

*Fisheries byelaws for marine or aquatic environmental purposes*

6A (1) Any power to make byelaws conferred by paragraph 6...

*Restrictions on powers to make byelaws for fisheries purposes*

7 (1) The Agency shall not make any byelaws by virtue...

SCHEDULE 26 — PROCEDURE RELATING TO BYELAWS MADE BY THE  
APPROPRIATE AGENCY

*Confirmation of byelaws*

1 (1) No byelaw made by the appropriate agency shall have...

*Confirmation with or without modifications*

2 (1) Subject to sub-paragraph (3) below, the relevant Minister, with...

*Commencement of byelaw*

3 (1) The relevant Minister may fix the date on which...

*Availability of confirmed byelaws*

4 (1) Every byelaw made by the appropriate agency and confirmed...

*Revocation of byelaws*

5 If it appears to the relevant Minister that the revocation...

*Proof of byelaws*

6 The production of a printed copy of a byelaw purporting...

*Meaning of “the relevant Minister”*

7 In this Schedule “the relevant Minister”— (a) in relation to...

Schedule 27 — Emergency fisheries byelaws

*Emergency fisheries byelaws*

1 (1) In this Schedule, “ emergency fisheries byelaw ” means...

*Commencement*

2 An emergency fisheries byelaw comes into force—

*Notification of the appropriate national authority*

3 The appropriate agency must, within 24 hours of making an...

*Publication*

4 The appropriate agency must publish notice of the making of...

*Status: Point in time view as at 31/12/2020.*

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*Amendment and revocation*

- 5 (1) If at any time the appropriate national authority is...

*Expiry and extension*

- 6 (1) Subject to paragraph 7 below, an emergency fisheries byelaw...  
7 (1) The appropriate agency may, at any time before an...

*Availability*

- 8 (1) Every emergency fisheries byelaw shall be printed and deposited...

*Proof*

- 9 The production of a printed copy of an emergency fisheries...

*“Appropriate national authority”*

- 10 In this Schedule “appropriate national authority” has the...

— Table of Derivations

- 1 Note: The following abbreviations are used in this Table:— 1945...  
2 Transfer of functions orders (“TFOs”), where applicable in relation to...  
3 General provisions contained in section 32 of the Magistrates’ Courts...

**Status:**

Point in time view as at 31/12/2020.

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