



# Water Resources Act 1991

## 1991 CHAPTER 57

### PART II

#### WATER RESOURCES MANAGEMENT

### CHAPTER II

#### ABSTRACTION AND IMPOUNDING

##### *Restrictions on abstraction and impounding*

#### **24 Restrictions on abstraction**

- (1) Subject to the following provisions of this Chapter and to any drought order under Chapter III of this Part, no person shall—
  - (a) abstract water from any source of supply; or
  - (b) cause or permit any other person so to abstract any water,except in pursuance of a licence under this Chapter granted by the Authority and in accordance with the provisions of that licence.
- (2) Where by virtue of subsection (1) above the abstraction of water contained in any underground strata is prohibited except in pursuance of a licence under this Chapter, no person shall begin, or cause or permit any other person to begin—
  - (a) to construct any well, borehole or other work by which water may be abstracted from those strata;
  - (b) to extend any such well, borehole or other work; or
  - (c) to instal or modify any machinery or apparatus by which additional quantities of water may be abstracted from those strata by means of a well, borehole or other work,unless the conditions specified in subsection (3) below are satisfied.
- (3) The conditions mentioned in subsection (2) above are—

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*Status: This is the original version (as it was originally enacted).*

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- (a) that the abstraction of the water or, as the case may be, of the additional quantities of water is authorised by a licence under this Chapter; and
  - (b) that—
    - (i) the well, borehole or work, as constructed or extended; or
    - (ii) the machinery or apparatus, as installed or modified,fulfils the requirements of that licence as to the means by which water is authorised to be abstracted.
- (4) A person shall be guilty of an offence if—
- (a) he contravenes subsection (1) or (2) above; or
  - (b) he is for the purposes of this section the holder of a licence under this Chapter and, in circumstances not constituting such a contravention, does not comply with a condition or requirement imposed by the provisions, as for the time being in force, of that licence.
- (5) A person who is guilty of an offence under this section shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
  - (b) on conviction on indictment, to a fine.
- (6) The restrictions imposed by this section shall have effect notwithstanding anything in any enactment contained in any Act passed before the passing of the Water Resources Act 1963 on 31st July 1963 or in any statutory provision made or issued, whether before or after the passing of that Act, by virtue of such an enactment.