



# Water Resources Act 1991

## 1991 CHAPTER 57

### PART II

#### WATER RESOURCES MANAGEMENT

### CHAPTER III

#### DROUGHT

#### **75 Provisions and duration of emergency drought order.**

- (1) An emergency drought order made on the application of the [F<sup>1</sup>appropriate agency] may contain any of the provisions which could be included, by virtue of section 74(1) above, in an ordinary drought order made on the application of the [F<sup>1</sup>appropriate agency].
- (2) An emergency drought order made on the application of a water undertaker may contain any of the following provisions, that is to say—
  - (a) any provision which could be included, by virtue of subsection (2) of section 74 above, in an ordinary drought order made on the application of a water undertaker, except provision authorised by paragraph (b) of that subsection;
  - (b) provision authorising the water undertaker to prohibit or limit the use of water for such purposes as the water undertaker thinks fit;
  - (c) provision authorising the water undertaker—
    - (i) to supply water in its area, or in any place within its area, by means of stand-pipes or water tanks; and
    - (ii) to erect or set up and maintain stand-pipes or water tanks in any street in that area.
- (3) The period for which—
  - (a) an authorisation given by or under an emergency drought order;
  - (b) a prohibition or limitation imposed by or under any such order; or

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*Changes to legislation: There are currently no known outstanding effects for the Water Resources Act 1991, Section 75. (See end of Document for details)*

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- (c) a suspension or modification effected by or under any such order, has effect shall expire before the end of the period of three months beginning with the day on which the order comes into force unless that period of three months is extended, in relation to that order, by virtue of the exercise by the Secretary of State of his power (subject to subsection (4) below) to amend the order.
- (4) The power of the Secretary of State to amend an emergency drought order shall not be exercised so as to extend the period of three months mentioned in subsection (3) above beyond the end of the period of five months beginning with the day on which that order came into force.
- (5) Where powers have been conferred by an emergency drought order on any person—
- (a) the Secretary of State may give to that person such directions as he considers necessary or expedient as to the manner in which, or the circumstances in which, any of those powers is or is not to be exercised;
  - (b) it shall be the duty of that person to comply with any such direction; and
  - (c) where that person is a water undertaker or sewerage undertaker, the duty to comply with any such direction shall be enforceable under section 18 of the <sup>M1</sup>Water Industry Act 1991 by the Secretary of State.
- (6) The giving of a direction under subsection (5) above in relation to any power shall not affect—
- (a) the validity of anything done in the exercise of that power before the giving of the direction; or
  - (b) any obligation or liability incurred before the giving of the direction.
- (7) Without prejudice to the following provisions of this Chapter, an emergency drought order may—
- (a) make different provision for different cases, including different provision in relation to different persons, circumstances or localities; and
  - (b) contain such supplemental, consequential and transitional provision as the Secretary of State considers appropriate.

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**Textual Amendments**

**F1** Words in ss. 73-75 substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 270(n)** (with Sch. 7)

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**Marginal Citations**

**M1** 1991 c. 56.

**Changes to legislation:**

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