

Status: Point in time view as at 28/04/2022.

Changes to legislation: Environment Act 1995, Paragraph 177 is up to date with all changes known to be in force on or before 14 July 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)

SCHEDULES

SCHEDULE 22

MINOR AND CONSEQUENTIAL AMENDMENTS

The Water Resources Act 1991

- 177 (1) Section 221(1) of that Act (general interpretation) shall be amended in accordance with the following provisions of this paragraph.
- (2) Before the definition of “abstraction” there shall be inserted—
- ““the 1995 Act” means the Environment Act 1995;”.
- (3) After the definition of “accessories” there shall be inserted—
- ““the Agency” means the Environment Agency;”.
- (4) The definition of “the Authority” shall be omitted.
- (5) The definition of “constituent council” shall be omitted.
- ^{F1}(6)
- (7) For the definition of “flood defence functions” there shall be substituted—
- ““flood defence functions”, in relation to the Agency, means—
- (a) its functions with respect to flood defence and land drainage by virtue of Part IV of this Act, the ^{M1}Land Drainage Act 1991 and section 6 of the 1995 Act;
- (b) those functions transferred to the Agency by section 2(1)(a) (iii) of the 1995 Act which were previously transferred to the Authority by virtue of section 136(8) of the ^{M2}Water Act 1989 and paragraph 1(3) of Schedule 15 to that Act (transfer of land drainage functions under local statutory provisions and subordinate legislation); and
- (c) any other functions of the Agency under any of the flood defence provisions of this Act;”.
- (8) For the definition of “flood defence provisions” there shall be substituted—
- ““flood defence provisions”, in relation to this Act, means—
- (a) any of the following provisions of this Act, that is to say—
- (i) Part IV;
- (ii) sections 133 to 141 (including Schedule 15), 143, 147 to 149, 155, 165 to 167, 180, 193, 194 and paragraph 5 of Schedule 25;
- (b) any of the following provisions of the 1995 Act, that is to say—
- (i) section 6(4) (general supervision of flood defence);

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- (ii) section 53 (inquiries and other hearings); and
 - (iii) Schedule 5 (membership and proceedings of regional and local flood defence committees); and
 - (c) any other provision of this Act or the 1995 Act so far as it relates to a provision falling within paragraph (a) or (b) above;”.
- (9) For the definition of “the related water resources provisions” there shall be substituted—
- ““the related water resources provisions”, in relation to Chapter II of Part II of this Act, means—
- (a) the following provisions of this Act, that is to say, the provisions—
 - (i) of sections 21 to 23 (including Schedule 5);
 - (ii) of sections 120, 125 to 130, 158, 189, 199 to 201, 206(3), 209(3), 211(1) and 216; and
 - (iii) of paragraph 1 of Schedule 25; and
 - (b) the following provisions of the 1995 Act, that is to say, the provisions—
 - (i) of sections 41 and 42 (charging schemes) as they have effect by virtue of subsection (1)(a) of section 41 (licences under Chapter II of Part II of this Act); and
 - (ii) of subsections (1) and (2) of section 53 (inquiries and other hearings);”.
- (10) In the definition of “water pollution provisions”—
- (a) in paragraph (b)—
 - (i) after the words “161” there shall be inserted the words “to 161D”; and
 - (ii) for the words “203 and 213(2) above” there shall be substituted the words “and 203”; and
 - (b) after paragraph (c), there shall be added the words— “ and the following provisions of the 1995 Act, that is to say, the provisions of subsections (1) and (2) of section 53. ”

Textual Amendments

- F1** Sch. 22 para. 177(6) repealed (E.W.) (6.4.2010) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), reg. 1(1)(b), **Sch. 28** (with reg. 1(2), Sch. 4)

Marginal Citations

- M1** 1991 c. 59.
M2 1989 c. 15.

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