

## SCHEDULES

### SCHEDULE 23

#### TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

##### PART I

##### GENERAL TRANSITIONAL PROVISIONS AND SAVINGS

###### *The Water Resources Act 1991*

- 20 Notwithstanding any provision restricting the power of the Agency to grant a licence under Chapter II of Part II of the Water Resources Act 1991 (abstracting or impounding of water), or the power of the Secretary of State to direct the Agency to grant such a licence, the Agency may grant, and the Secretary of State may direct it to grant, such licences as are necessary to ensure that water may continue to be abstracted or impounded by or on behalf of the Crown in the manner in which, and to the extent to which,—
- (a) it may be so abstracted or impounded immediately before the coming into force of sub-paragraph (4) of paragraph 2 of Schedule 21 to this Act in relation to that Chapter, or
  - (b) it has been so abstracted or impounded at any time in the period of five years immediately preceding the coming into force of that sub-paragraph in relation to that Chapter.
- 21 (1) This paragraph applies to any consent—
- (a) which was given under paragraph 2 of Schedule 10 to the Water Resources Act 1991 (discharge consents), as in force before the transfer date; and
  - (b) which is in force immediately before that date.
- (2) On and after the transfer date, a consent to which this paragraph applies—
- (a) shall, for so long as it would have continued in force apart from this Act, have effect as a consent given under paragraph 3 of Schedule 10 to that Act, as substituted by this Act, subject to the same conditions as were attached to the consent immediately before the transfer date; and
  - (b) shall—
    - (i) during the period of six months beginning with the transfer date, not be limited to discharges by any particular person but extend to discharges made by any person; and
    - (ii) after that period, extend, but be limited, to discharges made by any person who before the end of that period gives notice to the Agency that he proposes to rely on the consent after that period.