

*These notes refer to the Water Act 2003 (c.37) which  
received Royal Assent on 20th November 2003*

# **WATER ACT 2003**

---

## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 3: Miscellaneous**

##### ***Sections 60 to 61 Penalties*** 345.

##### **Section 60: Abstraction and impounding offences.**

This section amends sections 24(5)(a) and 25(3)(a) of the WRA so that the maximum penalty available to a magistrate's court for offences of abstracting or impounding water without a licence where one is needed, or doing so in contravention of a licence condition, is increased from £5,000 to £20,000. Proceedings can also be brought in the Crown Court, where the penalty on conviction would be an unlimited fine.

346. Provisions in this section are devolved to the Assembly.  
347.

##### **Section 61: Supplying water unfit for human consumption.**

This section increases from £5,000 to £20,000 the maximum penalty available to a magistrates' court for the offence created under section 70(1) of the WIA where a water undertaker supplies "water by means of pipes to any premises and that water is unfit for human consumption". Proceedings can also be brought in the Crown Court, where the penalty on conviction would be an unlimited fine. This offence is also extended to other persons under paragraph 20 of Schedule 8 to the Act.

348. Provisions in this section are devolved to the Assembly.