



Transport Act 1962

1962 CHAPTER 46 10 and 11 Eliz 2

PART IV

MISCELLANEOUS AND GENERAL

Provisions relating to the Boards

62 Local enactments relating to the supply of water for canals.

- (1) Any local enactment which authorises the British Waterways Board [^{F1}or Canal & River Trust] to take water for the purpose (whether express or implied) of using the water for a canal owned or managed by the British Waterways Board [^{F2}or, as the case may be, Canal & River Trust], or for purposes which include that purpose, shall have effect as if that purpose included the purpose of selling, or affording the use of, water from the canal; and the British Waterways Board [^{F2}or, as the case may be, Canal & River Trust] may exercise their powers under Part I of this Act accordingly.
- (2) The foregoing subsection shall not be taken as authorising the British Waterways Board [^{F3}or, as the case may be, Canal & River Trust]—
 - (a) to disregard any restriction, whether as regards quantity or rate or otherwise, on the water which may be taken from any source, or
 - (b) to affect the level or flow of water in any part of the canal, or in any river or watercourse fed from the canal, to a degree which conflicts with any of the Board's obligations [^{F4}or, as the case may be, Canal & River Trust's obligations], and in particular with any statutory obligation to maintain the canal in a navigable condition.

Textual Amendments

- F1** Words in s. 62(1) inserted (2.7.2012) by [The British Waterways Board \(Transfer of Functions\) Order 2012 \(S.I. 2012/1659\)](#), art. 1(2), [Sch. 2 para. 22\(2\)\(a\)](#) (with arts. 4-6)
- F2** Words in s. 62(1) inserted (2.7.2012) by [The British Waterways Board \(Transfer of Functions\) Order 2012 \(S.I. 2012/1659\)](#), art. 1(2), [Sch. 2 para. 22\(2\)\(b\)](#) (with arts. 4-6)

*Changes to legislation: There are currently no known outstanding effects
for the Transport Act 1962, Section 62. (See end of Document for details)*

- F3** Words in s. 62(2) inserted (2.7.2012) by The British Waterways Board (Transfer of Functions) Order 2012 (S.I. 2012/1659), art. 1(2), **Sch. 2 para. 22(3)(a)** (with arts. 4-6)
- F4** Words in s. 62(2) inserted (2.7.2012) by The British Waterways Board (Transfer of Functions) Order 2012 (S.I. 2012/1659), art. 1(2), **Sch. 2 para. 22(3)(b)** (with arts. 4-6)

Changes to legislation:

There are currently no known outstanding effects for the Transport Act 1962, Section 62.