
STATUTORY INSTRUMENTS

1983 No. 1320**WATER, ENGLAND AND WALES
WATER SUPPLY, SCOTLAND
WATER, NORTHERN IRELAND****The National Water Council (Transfer of Property, etc.)
Order 1983**

Made - - - 30th August 1983

Laid before Parliament 8th September 1983

Coming into Operation 30th September 1983

The Secretary of State, in exercise of his powers under sections 3(4) and 9(2) of, and paragraph 4(3) of Schedule 2 to, the Water Act 1983(a) and of all other powers enabling him in that behalf, hereby orders as follows:—

Citation and commencement

1. This order may be cited as the National Water Council (Transfer of Property, etc.) Order 1983, and shall come into operation on 30th September 1983.

Interpretation

2. In this order—

“the Companies Acts” means the Companies Acts 1948 to 1981;

“the Council” means the National Water Council;

“the Schedule” means the Schedule to this order;

“water fittings” has the same meaning as in the Water Act 1945(b).

Transfer of property

3.—(1) Subject to the provisions of this article, all property vested in the Council and held for the purposes of the functions specified in column 1 of the Schedule, and all rights vested in, and liabilities attaching to, the Council in respect of any such property or functions shall on 30th September 1983 be transferred to and vest in or attach to the authority or person specified in relation to any such functions in column 2 (being an authority or person who, in the opinion of the Secretary of State, acts or will act on behalf of one or more authorities).

(2) Property and rights which, in pursuance of this article, are transferred to and vested in the Water Industry Training Association shall be used in fulfilment of the objects of that Association.

(a) 1983 c.23.

(b) 1945 c.42.

(3) Nothing in this order shall be effective to transfer any property, right or liability of the Council for the transfer of which provision is made by the Local Government Superannuation (National Water Council Dissolution) Regulations 1983(a), the Pensions Increase (Local Authorities etc. Pensions) (Amendment) Regulations 1983(b), the Water (Pensions and Pension Liabilities) Regulations 1983(c), the Water (Compensation) Regulations 1983(d) and the Local Government Superannuation (Transferred Water Employees) (No. 2) Regulations 1983(e).

(4) Any agreement (other than a contract of employment) to which the Council are a party at the commencement of this order, and any other document (not being an enactment) which refers to the Council, shall be construed as if for any reference therein (however worded and whether express or implied) to the Council there were substituted, as respects anything falling to be done after the said commencement, a reference to the authority or person specified in that paragraph of column 2 of the Schedule which corresponds to the functions specified in column 1 to which the agreement or document relates.

General provision as to disputes

4.—(1) Any question as to the interpretation of this order may be determined by the decision of a person agreed on by the authorities concerned or, in default of agreement, appointed by the Secretary of State.

(2) Section 31 of the Arbitration Act 1950(f) shall have effect for the purposes of the determination of any question under this order as if such determination were an arbitration under any other Act within the meaning of that section.

(a) S.I. 1983/1271.
(d) S.I. 1983/1267.

(b) S.I. 1983/1315.
(e) S.I. 1983/1268.

(c) S.I.1983/1319.
(f) 1950 c.27.

SCHEDULE

Column 1 Functions for the purposes of which the property, rights and liabilities are held or attach	Column 2 Transferee
1. Functions in relation to training and education, other than functions of the kind specified in paragraph 3 of this column.	The Company (limited by guarantee) incorporated under the Companies Acts under the name of the Water Industry Training Association.
2. Functions in relation to the testing and approval of water fittings.	The Company (limited by guarantee) incorporated under the Companies Acts under the name of the Water Research Centre.
3. Functions in relation to the furnishing of technical assistance in connection with training and education to any person or body for the benefit of any country or territory outside the United Kingdom.	The Company (limited by shares) incorporated under the Companies Acts under the name of British Water International Ltd.
4. Functions in relation to the administration of the superannuation fund (other than the investment of the assets of the fund) and the payment of pensions, allowances or gratuities.	Severn-Trent Water Authority.
5. Functions in relation to the investment of the assets of the superannuation fund, and any other functions not specified in the preceding paragraphs of this column.	The Company (limited by guarantee) incorporated under the Companies Acts under the name of the Water Authorities' Association.

Signed by authority of
the Secretary of State
30th August 1983.

Ian Gow,
Minister for Housing and Construction,
Department of the Environment.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order makes provision for the transfer of property, rights and liabilities from the National Water Council, whose functions determine on 1st October 1983, to certain companies and the Severn-Trent Water Authority.

SI 1983/1320
ISBN 0-11-037320-0



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