
STATUTORY INSTRUMENTS

2006 No. 641

**The Water Resources (Abstraction
and Impounding) Regulations 2006**

PART 3

ABSTRACTION AND IMPOUNDING BY THE AGENCY

Transfer of Agency licence or of other licence to the Agency

21.—(1) Section 59A(1) (transfer of licence) has effect in relation to any licence referred to in subsection (1)(a), (b) or (c) of that section—

- (a) that is held by the Agency, or
- (b) that it is proposed to transfer to the Agency,

subject to the modifications in paragraph (2).

(2) The modifications referred to in paragraph (1) are that—

- (a) for subsections (2) and (3), there is substituted—

“(2) Where—

- (a) the Agency and another person agree that—
 - (i) an Agency licence should be transferred to the other person, or
 - (ii) a licence held by the other person should be transferred to the Agency, and
- (b) in the case of a full licence or transfer licence held by the Agency, the Agency is satisfied that the other person—
 - (i) has, or at the time when the proposed transfer is to take effect will have, a right of access in relation to each point of abstraction, and
 - (ii) will continue to have such a right for the period of at least one year beginning with the date on which the proposed transfer is to take effect, or until the licence is to expire (if sooner),

the Agency must give notice (a “transfer notice”) to the other person of the date from which it is intended that the transfer will take effect.

(3) The Agency must amend the licence to which a transfer notice relates by substituting the name of the transferee as holder of the licence.”; and

- (b) subsections (4) and (5) are omitted.