
Changes to legislation: There are currently no known outstanding effects for the Water Act 1989, Paragraph 1. (See end of Document for details)

SCHEDULES

SCHEDULE 25

MINOR AND CONSEQUENTIAL AMENDMENTS

Adaptation of enactments relating to statutory undertakers etc.

- 1 (1) Each of the following, that is to say—
- (a) [^{F1}the Environment Agency];
 - [^{F2}(aa) the Natural Resources Body for Wales;]
 - (b) every water undertaker; and
 - (c) every sewerage undertaker,
- shall be deemed to be statutory undertakers, and its undertaking a statutory undertaking, for the purposes of the enactments specified in sub-paragraph (2) below.
- (2) The enactments mentioned in sub-paragraph (1) above are—
- (i) the ^{M1}Public Health Act 1925;
 - (ii) the ^{M2}Public Health Act 1936;
 - (iii) section 4 of the ^{M3}Requisitioned Land and War Works Act 1948;
 - (iv) the National Parks and Access to the ^{M4}Countryside Act 1949;
 - (v) sections 20 and 30 of the ^{M5}Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951;
 - (vi) the ^{M6}Landlord and Tenant Act 1954;
 - (vii) ^{F3}
 - (viii) the ^{M7}Opencast Coal Act 1958;
 - (ix) section 17(10) of the ^{M8}Public Health Act 1961;
 - (x) the ^{M9}Pipe-lines Act 1962;
 - (xi) Schedule 3 to the ^{M10}Harbours Act 1964;
 - (xii) Schedule 6 to the ^{M11}Gas Act 1965;
 - (xiii) section 40 of the ^{M12}Forestry Act 1967;
 - (xiv) section 2 of the ^{M13}Countryside Act 1968, in so far as references in that section to a public body are to be construed as references to a statutory undertaker, and sections 13 and 16 of, and Schedule 2 to, that Act;
 - (xv) section 5 of the ^{M14}Development of Tourism Act 1969;
 - (xvi) ^{F4}
 - (xviii) sections 51 . . . ^{F5} of the ^{M15}Land Compensation Act 1973;
 - (xix) section 73 of the ^{M16}Control of Pollution Act 1974;
 - (xx) the ^{M17}Welsh Development Agency Act 1975;

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- (xxi) Part I of the ^{M18}Local Government (Miscellaneous Provisions) Act 1976;
 - ^{F6}(xxii)
 - (xxiii) the ^{M19}Ancient Monuments and Archaeological Areas Act 1979;
 - (xxiv) [^{F7}Part]XVI of the ^{M20}Local Government, Planning and Land Act 1980;
 - (xxv) the ^{M21}Highways Act 1980;
 - (xxvi) subject to sub-paragraph (5) below, the ^{M22}New Towns Act 1981;
 - (xxvii) the ^{M23}Acquisition of Land Act 1981;
 - (xxviii) the ^{M24}Civil Aviation Act 1982;
 - (xxix) section 30 of the ^{M25}Local Government (Miscellaneous Provisions) Act 1982;
 - (xxx) section 2(2)(c) of the ^{M26}Cycle Tracks Act 1984;
 - (xxx1) the ^{M27}Building Act 1984;
 - (xxxii) Part IX and section 611 of the ^{M28}Housing Act 1985.
- (3) [^{F1}The Environment Agency], [^{F8}the Natural Resources Body for Wales,] a water undertaker or a sewerage undertaker shall be deemed to be a statutory company for the purposes of the ^{M29}Landlord and Tenant Act 1927.
- ^{F9}(4)
- (5) The references in section 39 of the New Towns Act 1981 (power of development corporation to transfer undertakings) to statutory undertakers do not include references to any water undertaker or sewerage undertaker and, accordingly, references in that section to a statutory undertaking do not include references to the statutory undertaking of such an undertaker.
- (6) References in section 26 of the ^{M30}Land Compensation Act 1973 (acquisition of land in connection with public works) to a responsible authority shall not include references to [^{F10}the Environment Agency][^{F11}the Natural Resources Body for Wales,] , a water undertaker or a sewerage undertaker.
- (7) A water undertaker or sewerage undertaker shall be deemed to be statutory undertakers for the purposes of section 9(3) of the ^{M31}Inner Urban Areas Act 1978 (loans for site preparation).
- (8) A water undertaker or sewerage undertaker shall be deemed to be public utility undertakers for the purposes of the Highways Act 1980 ^{F12} . . .
- (9) In the enactments specified in sub-paragraph (10) below, “the appropriate Minister”, in relation to statutory undertakers, means—
- (a) in the case of [^{F1}the Environment Agency][^{F13}or the Natural Resources Body for Wales] , the Secretary of State or the Minister; and
 - (b) in the case of a water undertaker or sewerage undertaker, the Secretary of State.
- (10) The enactments mentioned in sub-paragraph (9) above are—
- (i) the ^{M32}Opencast Coal Act 1958;
 - (ii) Schedule 3 to the ^{M33}Harbours Act 1964;

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- (iii) paragraph 2 of Schedule 6 to the ^{M34}Gas Act 1965;
 - (iv) ^{F4}
 - (v) the ^{M35}Welsh Development Agency Act 1975;
 - ^{F6}(vi)
 - (vii) sections 121 and 290 of the ^{M36}Highways Act 1980;
 - (viii) the ^{M37}New Towns Act 1981;
 - (ix) the ^{M38}Acquisition of Land Act 1981.
- (11) References to a local authority in the following enactments . . . ^{F14} shall not include references to [^{F10}the Environment Agency][^{F15}or the Natural Resources Body for Wales] , namely—
- (i) the ^{M39}Opencast Coal Act 1958;
 - (ii) ^{F4}
 - (iii) Part I of Schedule 6 to the Highways Act 1980;
 - (iv) the New Towns Act 1981;
 - (v) the Acquisition of Land Act 1981.

Textual Amendments

- F1** Words in Sch. 25 para. 1(1)(a)(3)(4)(9)(a) substituted (1.4.1996) by S.I. 1996/396, reg. 3, **Sch. 2 para. 4(2)**
- F2** Sch. 25 para. 1(aa) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 193(2)** (with Sch. 7)
- F3** Sch. 25 para. 1(2)(vii) repealed by Coal Mining Subsidence Act 1991 (c. 45, SIF 86), s. 53(2), **Sch. 8** (with s. 53(1), Sch. 7)
- F4** Sch. 25 paras. 1(2)(xvi)(xvii), (10)(iv), (11)(ii), 42 repealed by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 3, **Sch. 1 Pt. I** (with Sch. 3 paras. 1, 2, 4, 6)
- F5** Words repealed by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 3, **Sch. 1 Pt. I** (with Sch. 3 paras. 1, 2, 4, 6)
- F6** Sch. 25 para. 1(2)(xxii)(10)(vi) repealed (1.10.1998) by 1998 c. 38, s. 152, **Sch. 18 Pt. IV** (with ss. 137(1), 139(2), 141(1), 143(2)); S.I. 1998/2244, **art. 4**
- F7** Words in Sch. 25 para. 1(2)(xxiv) substituted (1.10.1998) by 1998 c. 38, s. 135(2)(a) (with ss. 137(1), 139(2), 141(1), 143(2)); S.I. 1998/2244, **art. 4**
- F8** Words in Sch. 25 para. 1(3) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 193(3)** (with Sch. 7)
- F9** Sch. 25 para. 1(4) repealed (14.11.2005) by Civil Contingencies Act 2004 (c. 36), s. 34(1), **Sch. 3**; S.I. 2005/2040, **art. 3(r)**
- F10** Words in Sch. 25 para. 1(6)(11) substituted (1.4.1996) by S.I. 1996/396, reg. 3, **Sch. 2 para. 4(3)**
- F11** Words in Sch. 25 para. 1(6) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 193(4)** (with Sch. 7)
- F12** Words in Sch. 25 para. 1(8) repealed (1.1.1993) by New Roads and Street Works Act 1991 (c. 22, SIF 59), s. 168(2), **Sch. 9** (with s. 25(2)); S.I. 1992/2984, art. 2(2), **Sch. 2**.
- F13** Words in Sch. 25 para. 1(9)(a) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 193(5)** (with Sch. 7)
- F14** Words repealed by S.I. 1990/776, art. 8, **Sch. 3 para. 28**
- F15** Words in Sch. 25 para. 1(11) inserted (1.4.2013) by The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755), art. 1(2), **Sch. 2 para. 193(6)** (with Sch. 7)

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Marginal Citations

- M1** 1925 c. 71.
- M2** 1936 c. 49.
- M3** 1948 c. 17.
- M4** 1949 c. 97.
- M5** 1951 c. 65.
- M6** 1954 c. 56.
- M7** 1958 c. 69.
- M8** 1961 c. 64.
- M9** 1962 c. 58.
- M10** 1964 c. 40.
- M11** 1965 c. 36.
- M12** 1967 c. 10.
- M13** 1968 c. 41.
- M14** 1969 c. 51.
- M15** 1973 c. 26.
- M16** 1974 c. 40.
- M17** 1975 c. 70.
- M18** 1976 c. 57.
- M19** 1979 c. 46.
- M20** 1980 c. 65.
- M21** 1980 c. 66.
- M22** 1981 c. 64.
- M23** 1981 c. 67.
- M24** 1982 c. 16.
- M25** 1982 c. 30.
- M26** 1984 c. 38.
- M27** 1984 c. 55.
- M28** 1985 c. 68.
- M29** 1927 c. 36.
- M30** 1973 c. 26.
- M31** 1978 c. 50.
- M32** 1958 c. 69.
- M33** 1964 c. 40.
- M34** 1965 c. 36.
- M35** 1975 c. 70.
- M36** 1980 c. 66.
- M37** 1981 c. 64.
- M38** 1981 c. 67.
- M39** 1958 c. 69.

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