
Changes to legislation: There are currently no known outstanding effects for the Water Act 1989, Paragraph 38. (See end of Document for details)

SCHEDULES

SCHEDULE 25

MINOR AND CONSEQUENTIAL AMENDMENTS

The Transport Act 1968 (c. 73)

- 38 (1) In section 109 of the Transport Act 1968 (powers to maintain or take over waterways and connected works)—
- (a) in subsection (2)—
 - (i) for paragraph (b) there shall be substituted the following paragraph—

“(b) the National Rivers Authority;”
 - (ii) for paragraph (h) there shall be substituted the following paragraph—

“(h) a water undertaker;”
 - (b) in subsection (3), for paragraph (b) there shall be substituted the following paragraph—

“(b) the National Rivers Authority unless the Ministers (as defined in section 82(9) of the Water Resources Act 1963) have consented to the agreement or transfer;”
- and
- (c) in subsection (5)—
 - (i) for the words from “authority or” to “may” there shall be substituted the words “authority may”; and
 - (ii) for the words from “authorities (whether” to “who” there shall be substituted the words “authorities who”.
- (2) In section 112 of that Act (power to extinguish statutory rights and obligations in respect of canals not comprised in undertaking of Waterways Board)—
- (a) in subsection (2), for the words from “any local” to “in whose” there shall be substituted the words “the National Rivers Authority or any local authority in whose”; and
 - (b) in subsection (3)(a), for the words from “local authority” to “or the” there shall be substituted the words “local authority, the National Rivers Authority or the”.
- (3) In section 113(5) of that Act (byelaws in respect of waterways owned or managed by certain bodies), in the definition of “relevant authority”, for the words from “means” to “order)” there shall be substituted the words “means, except in a case where it is itself the applicant for the order, the National Rivers Authority or any local authority”.
- (4) In paragraph 5(2) of Schedule 13 to that Act (inquiries in connection with proposed orders relating to inland waterways), in paragraph (a), for the words from “authority

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or” onwards there shall be substituted the words “authority or the National Rivers Authority”.

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