



Statutory Water Companies Act 1991

1991 CHAPTER 58

PART III

SUPPLEMENTAL

15 General interpretation

(1) In this Act, except in so far as the context otherwise requires—

“the 1985 Act” means the Companies Act 1985;

“disposal”, in relation to land or any interest or right in or over land, includes the creation of such an interest or right and a disposal effected by means of the surrender or other termination of any such interest or right;

“enactment” includes an enactment contained in this Act or in any Act passed after this Act;

“engineering or building operations”, without prejudice to the generality of that expression, includes—

(a) the construction, alteration, improvement, maintenance or demolition of any building or structure or of any reservoir, watercourse, dam, weir, well, borehole or other works; and

(b) the installation, modification or removal of any machinery or apparatus;

“functions”, in relation to a water undertaker, means the functions of the undertaker under or by virtue of any enactment and shall be construed subject to section 217 of the Water Industry Act 1991 (extension of meaning of “functions” in relation to undertakers);

“local statutory provision” means, subject to subsection (3) below—

(a) a provision of a local Act (including an Act confirming a provisional order);

(b) a provision of so much of any public general Act as has effect with respect to a particular area, with respect to particular persons or works or with respect to particular provisions falling within any paragraph of this definition;

(c) a provision of an instrument made under any provision falling within paragraph (a) or (b) above; and

(d) a provision of any other instrument which is in the nature of a local enactment;

“memorandum and articles” means a document containing only such provision as may be contained in a memorandum and articles of association registered under the 1985 Act;

“modifications” includes—

(a) additions, alterations and omissions; and

(b) in relation to any provision imposing a limit to which section 4 above applies in relation to any statutory water company, the removal of that limit and the replacement of that provision with a provision imposing a different such limit in relation to that company;

and cognate expressions shall be construed accordingly;

“notice” means notice in writing;

“statutory order” means an order or scheme made under any Act of Parliament, including an order or scheme confirmed by Parliament;

“statutory water company” means any company which was a statutory water company for the purposes of the Water Act 1973 immediately before 1st September 1989; and

“water fittings” has the same meaning as in Part III of the Water Industry Act 1991.

- (2) In this Act a reference to a company’s becoming a registered water company is a reference to the issue to that company (whether before or on or after the 1st September 1989) of a certificate under section 688 of the 1985 Act.
- (3) The references in sections 6 to 8 of this Act to a local statutory provision shall not include a reference to any provision contained in any enactment or instrument passed or made on or after 1st September 1989.
- (4) Section 216 of the Water Industry Act 1991 (manner of serving notices etc.) shall apply in relation to the service of any document by virtue of this Act as it applies in relation to the service of any document by virtue of that Act.

16 Information provisions

Sections 206 and 207 of the Water Industry Act 1991 (confidentiality of information and offence of providing false information) shall have effect in relation to the provisions of this Act as they have effect in relation to the provisions of that Act.

17 Short title, commencement and extent

- (1) This Act may be cited as the Statutory Water Companies Act 1991.
- (2) This Act shall come into force on 1st December 1991.
- (3) This Act extends to England and Wales only.