



# Land Drainage Act 1991

## 1991 CHAPTER 59

### PART I

#### INTERNAL DRAINAGE BOARDS

##### *Constitution etc. of boards*

#### **4 Powers to make the [<sup>F1</sup>appropriate supervisory body] a drainage board.**

- (1) The relevant Minister may, on a petition for the purpose presented to him by the [<sup>F2</sup>Agency], by order made by statutory instrument transfer to the [<sup>F2</sup>Agency] the powers, duties, liabilities, obligations and property (including deeds, maps, books, papers and other documents) of the drainage board for any internal drainage district.
- (2) On a transfer under this section, the [<sup>F2</sup>Agency] shall for the purposes of this Act become the drainage board for the district in question; and any expenses incurred by the [<sup>F2</sup>Agency] as the drainage board for that district shall be defrayed under and in accordance with the powers transferred by the order under this section and not in any other manner.
- (3) Without prejudice to the preceding provisions of this section, a scheme under section 3 above which makes provision for the constitution of a new internal drainage district may provide—
  - (a) for the [<sup>F2</sup>Agency] to be constituted the drainage board for that district; and
  - (b) for conferring on the [<sup>F2</sup>Agency] in relation to that district the powers and duties of an internal drainage board;and any expenses incurred by the [<sup>F2</sup>Agency] as the internal drainage board for such a district shall be defrayed under and in accordance with the powers so conferred and not in any other manner.
- (4) Schedule 3 to this Act shall apply with respect to an order under this section.

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*Changes to legislation: Land Drainage Act 1991, Section 4 is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (5) An order under this section may contain provisions with respect to the persons by whom all or any of the expenses incurred by the relevant Minister or other persons in connection with the making or confirmation of the order are to be borne.

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#### **Textual Amendments**

- F1** Words in s. 4 heading substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), [Sch. 2 para. 317](#) (with Sch. 7)
- F2** Words in s. 4 substituted (1.4.1996) by [1995 c. 25, s. 120\(1\)](#), [Sch. 22, para. 191](#)(with ss. 7(6), 115, 117); [S.I. 1996/186, art. 3](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 37(5A)-(5D) inserted by [2016 anaw 3 s. 83\(2\)\(b\)](#)
- s. 37(5A) substituted in earlier affecting provision [2016 anaw 3, s. 83\(2\)\(b\)](#) by [2021 c. 30 s. 95\(2\)\(b\)\(i\)](#)
- s. 37(5B)(5C) words substituted in earlier affecting provision [2016 anaw 3, s. 83\(2\)\(b\)](#) by [2021 c. 30 s. 95\(2\)\(b\)\(ii\)](#)
- s. 37(5D)(5E) substituted in earlier affecting provision [2016 anaw 3, s. 83\(2\)\(b\)](#) by [2021 c. 30 s. 95\(2\)\(b\)\(ii\)](#)