

**Changes to legislation:** There are currently no known outstanding effects for the Water Consolidation (Consequential Provisions) Act 1991, Paragraph 2. (See end of Document for details)

## SCHEDULES

### SCHEDULE 2

#### TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

##### **Modifications etc. (not altering text)**

- C1** Sch. 2: power to modify conferred (1.12.1991) by [Water Industry Act 1991 \(c. 56, SIF 130\)](#), **ss. 74(6), 223(2)** (with s. 219(3))

#### PART I

##### GENERAL TRANSITIONAL PROVISIONS AND SAVINGS

###### *Savings for powers to make, amend or challenge subordinate legislation and for certain specific instruments*

- 2 (1) Without prejudice to the provisions of paragraph 1 above—
- (a) the powers to make subordinate legislation under the <sup>M1</sup>Local Government Finance Act 1988 and section 149 of the <sup>M2</sup>Local Government and Housing Act 1989 (power to make provision in connection with the arrangements for financing local government); and
  - (b) any other powers to make subordinate legislation modifying any provision reproduced in the consolidation Acts, including the power to amend or revoke any subordinate legislation reproduced in those Acts,
- shall be exercisable in relation to the provisions of those Acts to the like extent as they were exercisable in relation to the enactment or subordinate legislation to which those provisions correspond.
- (2) Where provision contained in any subordinate legislation is reproduced in any enactment contained in sections 134 to 136 of the <sup>M3</sup>Water Resources Act 1991, Chapter I or II of Part IV of, or Part II of Schedule 1 to, the <sup>M4</sup>Land Drainage Act 1991 or Part II of this Schedule, that enactment shall not have any greater effect by virtue of being contained in an enactment than it would have had if it had continued to be contained in the subordinate legislation in question.
- (3) The repeal by this Act of paragraph 23 of Schedule 13 to the 1989 Act shall not affect the operation in relation to the NRA, in accordance with sub-paragraph (3) of that paragraph, of any provision of an order under section 82 of the <sup>M5</sup>Water Resources Act 1963 which was made before 1st September 1989.
- (4) The repeal by this Act of section 106 of the Water Resources Act 1963 shall not affect the powers conferred by that section in relation to the provisions of section 5 or Part IX of that Act or in relation to any order under section 10 of that Act.

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- (5) The repeal by this Act of sections 45 to 47, 89 and 110 of the 1976 Act shall not affect the operation of those sections so far as—
- (a) they have effect by virtue of any subordinate legislation made, under the Local Government Finance Act 1988 and section 149 of the Local Government and Housing Act 1989, for the purpose of or in connection with the issue of levies by the NRA; or
  - (b) they have effect in relation to any precept issued before 1st April 1990.
- (6) The repeal by this Act of sub-paragraph (2) of paragraph 71 of Schedule 25 to the 1989 Act (power to modify Part XII of the <sup>M6</sup>Companies Act 1985) shall not affect the continuing validity of anything done by virtue of the power conferred by that sub-paragraph to make regulations in relation to times before 1st September 1989.

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**Marginal Citations**

- M1** 1988 c. 41.  
**M2** 1989 c. 42.  
**M3** 1991 c. 57.  
**M4** 1991 c. 59.  
**M5** 1963 c. 38.  
**M6** 1985 c. 6.

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