



# Water Act 2003

## 2003 CHAPTER 37

### PART 1

#### ABSTRACTION AND IMPOUNDING

##### *Miscellaneous*

### **33 Application of certain water resources provisions to this Act**

- (1) The relevant WRA provisions apply to (or in relation to) the following sections of this Act (the “applicable sections”) as they apply to (or in relation to) Part 2 or, as the case may be, Chapter 2 of Part 2 of the WRA—
  - (a) section 3 (existing impounding works),
  - (b) section 4 (existing impounding works: works notices), and
  - (c) section 10 (orders under section 33 of the WRA, etc).
- (2) Accordingly, in the relevant WRA provisions—
  - (a) references to Part 2 of, or to Chapter 2 of Part 2 of, the WRA are to be read as if the applicable sections were included in that Part or that Chapter,
  - (b) references to the related water resources provisions are to be read as if those provisions meant, in relation to the applicable sections, the relevant WRA provisions other than section 222 of the WRA, and
  - (c) references to the Secretary of State are to be read as references to the appropriate authority (as defined, in each case, in the applicable section in question).
- (3) The “relevant WRA provisions” are the following provisions of the WRA—
  - (a) section 120 (contributions between the [F1appropriate agency] and certain other authorities),
  - (b) section 158 (works agreements for water resources purposes),
  - (c) section 201 (power to require information in respect of water resources functions), as substituted by section 70 of this Act,
  - (d) section 216 (enforcement: powers and duties),

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*Changes to legislation: Water Act 2003, Section 33 is up to date with all changes known to be in force on or before 08 June 2023. 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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- (e) section 222 (Crown application), as in force immediately before the substitution made by paragraph 2(4) of Schedule 21 to the Environment Act 1995 (c. 25) and for so long as the substituted section 222 does not apply to Part 2 of the WRA.
- (4) Section 220 of the WRA (provisions relating to service of documents) applies to documents required or authorised by virtue of any of the applicable sections to be served on any person as it applies to documents required or authorised to be served by virtue of the WRA.
- (5) References in the WRA to the functions (generally) of the Environment Agency [<sup>F2</sup>or of the Natural Resources Body for Wales, whether framed by reference to the appropriate agency or otherwise,] are to be read as including the Agency's [<sup>F3</sup>or, as the case may be, the Natural Resources Body for Wales',] functions under the applicable sections.

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#### Textual Amendments

- F1** Words in s. 33(3)(a) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 420\(2\)](#) (with Sch. 7)
- F2** Words in s. 33(5) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 420\(3\)\(a\)](#) (with Sch. 7)
- F3** Words in s. 33(5) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\), art. 1\(2\), Sch. 2 para. 420\(3\)\(b\)](#) (with Sch. 7)
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#### Commencement Information

- I1** S. 33 in force at 1.4.2006 by [S.I. 2006/984, art. 2\(p\)](#)

**Changes to legislation:**

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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. 52(9) inserted by [2014 c. 21 Sch. 7 para. 133\(3\)](#)