



Water Act 1945

1945 CHAPTER 42 8 and 9 Geo 6

An Act to make provision for the conservation and use of water resources and for water supplies and for purposes connected therewith. [15th June 1945]

Modifications etc. (not altering text)

- C1 Act extended by [London Government Act 1963 \(c. 33\), s. 40, Sch. 11 Pt. I paras. 1, 2](#); amended by [Local Government Act 1972 \(c. 70\), s. 181\(1\)](#)
- C2 References to statutory water undertakers as such to be construed as references to water authorities, statutory water companies, joint water and boards and joint water committees: [Water Act 1973 \(c. 37\), s. 11\(6\)](#)
- C3 The base date version of this Act is as revised to 1.12.1991 and takes into account the effects (if any) on it of consolidating legislation which came into force at that date
- C4 Power to transfer certain functions conferred by [Public Health \(Control of Disease\) Act 1984 \(c.22, SIF 100:1\), s. 7\(3\)\(a\)\(4\)\(c\)](#)

Commencement Information

- I1 Act wholly in force at 1.10.1945 by s. 63(3) (now repealed).

PART I

CENTRAL AND LOCAL PLANNING

1—5. F1

Textual Amendments

- F1 Ss. 1—5 repealed by [Water Act 1973 \(c. 37\), Sch. 9](#)

6 F2

Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding effects for the Water Act 1945. (See end of Document for details)

Textual Amendments

F2 S. 6 repealed by [Water Resources Act 1963 \(c. 38\)](#), **Sch. 14 Pt. I**

7 **F3**

Textual Amendments

F3 Ss. 7, 14(9)(10)(12), 15, 16, 21, 35(2)(4), 41 and 43 repealed by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

PART II

LOCAL ORGANISATION OF WATER SUPPLIES

8 **F4**

Textual Amendments

F4 S. 8 repealed by [Water Act 1973 \(c. 37\)](#), **Sch. 9**

9, 10. **F5**

Textual Amendments

F5 Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

11 **F6**

Textual Amendments

F6 S. 11 repealed by [Water Act 1973 \(c. 37\)](#), **Sch. 9**

12— **F7**
13A.

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Textual Amendments

F7 Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

PART III

CONSERVATION AND PROTECTION OF WATER RESOURCES

14

(1)	F8
(9)	F9
(11)	F8
(12)	F9

Textual Amendments

F8 Ss. 14(1)–(8)(11), 26 repealed by Water Resources Act 1963 (c. 38), s. 136(4), **Sch. 14 Pt. II**
F9 Ss. 7, 14(9)(10)(12), 15, 16, 21, 35(2)(4), 41 and 43 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

15, 16. F10

Textual Amendments

F10 Ss. 7, 14(9)(10)(12), 15, 16, 21, 35(2)(4), 41 and 43 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

17 F11

Textual Amendments

F11 Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

[^{F12}**18** **Byelaws for preventing pollution of water of undertakers.**

- (1) If it appears to statutory water undertakers to be necessary for the purpose of protecting against pollution any water, whether on the surface or underground, which belongs to them or which they are for the time being authorised to take, they may by byelaws—
- (a) define the area within which they deem it necessary to exercise control; and

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- (b) prohibit or regulate the doing within that area of any act specified in the byelaws.

Byelaws made under this section may contain different provisions for different parts of the area defined by the byelaws.

- (2) Where an area has been defined by byelaws under this section, the undertakers may by notice require either the owner or the occupier of any premises within that area to execute and keep in good repair such works as they consider necessary for preventing pollution of their water and, if he fails to comply with any such requirement, he shall be liable on summary conviction to the same penalties as if he had committed an act prohibited by the byelaws:

Provided that an owner or occupier who considers that a requirement made on him under this subsection is unreasonable may, within twenty-eight days after service on him of the requirement, appeal to the Minister and the Minister may determine the appeal himself or, if he thinks fit, may refer it for determination by an arbitrator to be appointed, in default of agreement, by the President of the Institution of Civil Engineers, and the Minister or arbitrator may, if he decides that the requirement is unreasonable, modify or disallow the requirement.

- (3) The undertakers shall pay compensation to the owners and occupiers of, and other persons interested in, any premises within the area defined by byelaws made under this section in respect of—

- (a) any curtailment or injurious affection of their legal rights by restrictions imposed by the byelaws; and
 (b) any expenses incurred by them in complying with a requirement to construct and maintain any works the construction of which could not, apart from this section, lawfully have been required, otherwise than upon payment of compensation, by the local authority of the district or county;

and any question as to the amount of compensation to be paid shall be referred to an arbitrator to be appointed, in default of agreement, by the Minister.

In this subsection the expression “legal rights” includes a user of land in respect of which the local authority might have taken proceedings under the Acts relating to public health or under their byelaws, but have refrained from doing so, either by reason of the character or situation of the land or for some other reason.

- (4) Where any person has failed to comply with a requirement made on him under subsection (2) of this section and either—

- (a) he has not appealed to the Minister against that requirement and the time for appealing has expired; or
 (b) his appeal has been dismissed or the requirement has been modified on his appeal and he has failed to comply with the requirement as so modified:

the undertakers may, without prejudice to their right to take proceedings for a fine in respect of such failure, execute and keep in good repair the works specified in the requirement as originally made or, as the case may be, as modified on appeal, and may recover the expenses reasonably incurred by them in so doing from the person in default summarily as a civil debt, except expenses incurred in respect of works the construction of which could not, apart from this section, lawfully have been required, otherwise than upon payment of compensation, by the local authority of the district or county.

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- (5) Two or more statutory water undertakers may combine for the purpose of making and enforcing byelaws under this section, and this section and subsection (2) of the next but one following section of this Act shall in any such case have effect as if the references to statutory water undertakers were construed as references to those two or more statutory water undertakers acting jointly.
- (6) Nothing in this section shall be construed as empowering the undertakers to make any byelaw restricting the rights of a navigation authority under any enactment.]

Textual Amendments

F12 S. 18 repealed (prosp.) by Control of Pollution Act 1974 (c. 40), s. 109(2), **Sch. 4**

Modifications etc. (not altering text)

C5 S. 18 extended by Water Resources Act 1963 (c.38), s. 79

C6 S. 18 amended (27.8.1993) by 1993 c. 12, ss. 40, 51(2), **Sch. 3 Pt. I para.10**.

C7 S. 18(2)–(5) modified by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 26 para. 57(3)** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

C8 S. 18(2)–(5) and Pt. V (ss. 44–63) modified by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 2, **Sch. 2 para. 4(2)**

19 **F13**

Textual Amendments

F13 S. 19 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6 and to a saving with modifications in para. 57(3) of the said Sch. 26 and in para. 4(2) of Sch. 2 to Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130))

20 **F14**

Textual Amendments

F14 Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

21 **F15**

Textual Amendments

F15 Ss. 7, 14(9)(10)(12), 15, 16, 21, 35(2)(4), 41 and 43 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

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22 F16

Textual Amendments

F16 Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

PART IV

POWERS AND DUTIES OF LOCAL AUTHORITIES AND WATER UNDERTAKERS

23 F17

Textual Amendments

F17 Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

24 F18

Textual Amendments

F18 Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

25 F19

Textual Amendments

F19 Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

26 F20

Textual Amendments

F20 Ss. 14(1)–(8)(11), 26 repealed by Water Resources Act 1963 (c. 38), s. 136(4), **Sch. 14 Pt. II**

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27 F21

Textual Amendments

F21 Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

Extension of powers and duties of local authorities under the Public Health Act, 1936.

28 F22

Textual Amendments

F22 S. 28 repealed by Water Act 1973 (c. 37), **Sch. 9**

29 Amendment of s. 137 of the Public Health Act, 1936.

(1) For subsection (1) of section one hundred and thirty-seven of the Public Health Act, 1936 (which requires new houses to be provided with a sufficient water supply) there shall be substituted the following subsection :—

“(1) Where plans of a house are, in accordance with building byelaws, deposited with a local authority, the authority shall reject the plans unless there is put before them a proposal which appears to them to be satisfactory for providing the occupants of the house with a supply of wholesome water sufficient for their domestic use—

- (a) by connecting the house to a supply of water in pipes provided by the local authority or other statutory undertakers; or
- (b) if in all the circumstances it is not reasonable to require the house to be connected as aforesaid, by otherwise taking water into the house by means of a pipe; or
- (c) if in all the circumstances neither of the preceding alternatives can reasonably be required, by providing a supply of water within a reasonable distance of the house;

and the authority are satisfied that the proposal can and will be carried into effect.

Any question arising under this subsection between a local authority and the person by whom, or on whose behalf, plans are deposited as to whether the local authority ought to pass the plans may on the application of that person be determined by a court of summary jurisdiction”

(2) In subsection (2) of the said section one hundred and thirty-seven for the words “for the domestic purpose of the inmates being provided in, or within a reasonable distance of, the house” there shall be substituted the words “for the domestic purposes of the occupants.”

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Modifications etc. (not altering text)

- C9** The text of ss. 29, 30(1)–(4), 31 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

30 Amendment of s. 138 of the Public Health Act, 1936.

- (1) For subsection (1) of section one hundred and thirty-eight of the Public Health Act, 1936 (which empowers a local authority to require an occupied house to be provided with a sufficient water supply) there shall be substituted the following subsections:—

(

Where a local authority are satisfied that any occupied house has not a supply of wholesome water in pipes in the house sufficient for the domestic purposes of the occupants, the local authority may—

- (a) if they are satisfied that in all the circumstances it is reasonable to require the owner of the house to connect it to a supply of water in pipes provided by the local authority or other statutory water undertakers, give notice to the owner requiring him within a time specified therein to connect the house as aforesaid;
- (b) if they are not satisfied that it is reasonable in all the circumstances to require the owner to connect the house as aforesaid, but are satisfied that it is reasonable to require him otherwise to take water into the house by means of a pipe, give notice to the owner requiring him within a time specified therein so to take water into the house.

(1A) Where a local authority are satisfied that any occupied house has not a reasonable distance thereof a supply of wholesome water sufficient for the domestic purposes of the occupants and that in all the circumstances it is not reasonable to require the owner to connect the house, or to take water into the house as aforesaid, the local authority may give notice to the owner requiring him within a time specified therein to provide a sufficient supply of wholesome water within a reasonable distance of the house.”

- (2) In subsection (2) of the said section, for the words “the preceding subsection” there shall be substituted the words “either of the preceding subsections”.

- (3) After the said subsection (2) there shall be inserted the following subsection:—

“(2A) If a person on whom a notice has been served under the preceding provisions of this section objects to the requirement of the local authority, he may, within twenty-eight days after service on him of the notice, appeal to a court of summary jurisdiction and, upon any such appeal, the court may either disallow the requirement of the local authority or allow it with or without modifications.”

- (4) In subsection (3) of the said section, for the words “Subject to the provisions of the next succeeding section with respect to appeals, if such notice as aforesaid is not complied with” there shall be substituted the words “If any requirement contained in a notice given under the preceding provisions of this section, including a requirement modified by a court under the last preceding subsection, is not complied with within the time specified in the notice or if the court extends that time, within the time as so extended”.

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Modifications etc. (not altering text)

C10 The text of ss. 29, 30(1)–(4), 31 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

31 Other amendments of Public Health Act, 1936.

The provisions of the Public Health Act, 1936, mentioned in the Fourth Schedule to this Act, being provisions relating to the water supply and matters connected therewith, shall be amended and repealed to the extent specified in the said Schedule

Modifications etc. (not altering text)

C11 The text of ss. 29, 30(1)–(4), 31 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Modernisation of Waterworks Code

32, 33. **F23**

Textual Amendments

F23 Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

Miscellaneous

34 **F24**

Textual Amendments

F24 Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

- 35**
- (1) **F25**
 - (2) **F26**
 - (3) **F27**
 - (4) **F26**

Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding effects for the Water Act 1945. (See end of Document for details)

Textual Amendments

- F25** Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)
- F26** Ss. 7, 14(9)(10)(12), 15, 16, 21, 35(2)(4), 41 and 43 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)
- F27** S. 35(3) repealed by Water Act 1973 (c. 37), **Sch. 9**

36, 37. **F28**

Textual Amendments

- F28** Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

38 **F29**

Textual Amendments

- F29** S. 38 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to savings in Sch. 26 paras. 6, 16(9))

39 **F30**

Textual Amendments

- F30** Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

40 **F31**

Textual Amendments

- F31** S. 40 repealed by Water Act 1973 (c. 37), **Sch. 9**

41 **F32**

Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding effects for the Water Act 1945. (See end of Document for details)

Textual Amendments

F32 Ss. 7, 14(9)(10)(12), 15, 16, 21, 35(2)(4), 41 and 43 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

42 **F33**

Textual Amendments

F33 Ss. 9, 10, 12–13A, 17, 20, 22–25, 27, 32–34, 35(1), 36, 37, 39, 42 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

43 **F34**

Textual Amendments

F34 Ss. 7, 14(9)(10)(12), 15, 16, 21, 35(2)(4), 41 and 43 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15)

PART V

GENERAL

Modifications etc. (not altering text)

C12 Pt. V (ss. 44–63) modified by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 26 para. 57(3)** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58)

C13 S. 18(2)–(5) and Pt. V (ss. 44–63) modified by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 2, **Sch. 2 para. 4(2)**

44 **F35**

Textual Amendments

F35 S. 44 repealed without prejudice to its operation in relation to any order made before 1.4.1964 by Water Officers Compensation Act 1960 (c.15), **s. 1(6)**

45 **F36**

Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding effects for the Water Act 1945. (See end of Document for details)

Textual Amendments

F36 S. 45 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c.60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15 and subject to savings with modifications in Sch. 2 paras. 3(2), 4(2))

46 **F37**

Textual Amendments

F37 S. 46 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, Sch. 25 para. 7(9), **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6 and to savings with modifications in paras. 3(2), 4(2) of Sch. 2 to Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130))

47 **F38**

Textual Amendments

F38 S. 47 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6 and to savings with modifications in paras. 3(2), 4(2) of Sch. 2 to Water Consolidation (Consequential Provisions) Act 1991 (c.60, SIF 130))

48 **F39**

Textual Amendments

F39 S. 48 repealed by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), s. 3, **Sch. 3 Pt. I** (with s. 2, Sch. 2 paras. 10, 14(1), 15) (and subject to savings with modifications in Sch. 2 paras. 3(2), 4(2))

49— **F40**
52.

Textual Amendments

F40 Ss. 49–52 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6 and to savings with modifications in paras. 3(2), 4(2) of Sch. 2 to Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130))

53 **F41**

Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding effects for the Water Act 1945. (See end of Document for details)

Textual Amendments

F41 S. 53 repealed by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), s. 3, [Sch. 3 Pt. I](#) (with s. 2, [Sch. 2 paras. 10, 14\(1\), 15](#)) (and subject to savings with modifications in [Sch. 2 paras. 3\(2\), 4\(2\)](#))

54, 55. **F42**

Textual Amendments

F42 Ss. 54, 55 repealed by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190, [Sch. 27 Pt. I](#) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), [Sch. 26 paras. 3\(1\)\(2\), 17, 40\(4\), 41\(1\), 57\(6\), 58](#)) (and subject to a saving in [Sch. 26 para. 6](#) and to savings with modifications in [paras. 3\(2\), 4\(2\)](#) of [Sch. 2](#) to [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#))

56 **F43**

Textual Amendments

F43 S. 56 repealed by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#), s. 3, [Sch. 3 Pt. I](#) (with s. 2, [Sch. 2 paras. 10, 14\(1\), 15](#)) (and subject to savings with modifications in [Sch. 2 paras. 3\(2\), 4\(2\)](#))

57, 58. **F44**

Textual Amendments

F44 Ss. 57, 58 repealed by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190, [Sch. 27 Pt. I](#) (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), [Sch. 26 paras. 3\(1\)\(2\), 17, 40\(4\), 41\(1\), 57\(6\), 58](#)) (and subject to a saving in [Sch. 26 para. 6](#) and to savings with modifications in [paras. 3\(2\), 4\(2\)](#) of [Sch. 2](#) to [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#))

59 **F45**

Textual Amendments

F45 S. 59 repealed by [Water Consolidation \(Consequential Provisions\) Act 1991 \(c.60, SIF 130\)](#), s. 3, [Sch. 3 Pt. I](#) (with s. 2, [Sch. 2 paras. 10, 14\(1\), 15](#)) (and subject to savings with modifications in [Sch. 2 paras. 3\(2\), 4\(2\)](#))

60— **F46**

62.

Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding effects for the Water Act 1945. (See end of Document for details)

Textual Amendments

F46 Ss. 60–62 repealed by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6 and to savings with modifications in paras. 3(2), 4(2) of Sch. 2 to [Water Consolidation \(Consequential Provisions\) Act 1991 \(c. 60, SIF 130\)](#))

63 †Short title, extent and commencement.

- (1) This Act may be cited as the Water Act 1945.
- (2) This Act shall not extend to Scotland or Northern Ireland.
- (3) ^{F47}

Textual Amendments

F47 [S. 63\(3\)](#) repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

Modifications etc. (not altering text)

C14 Unreliable marginal note.

Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding
effects for the Water Act 1945. (See end of Document for details)

SCHEDULES

FIRST SCHEDULE, SECOND SCHEDULE

. . . F48

Textual Amendments

F48 Schs. 1, 2 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

THIRD SCHEDULE

PROVISIONS TO BE INCORPORATED IN ORDERS RELATING TO WATER UNDERTAKINGS

Modifications etc. (not altering text)

C15 Sch. 3 amended by Electricity Act 1989 (c. 29, SIF 44:1), s. 112(1), **Sch. 16 para. 1(1)**

PART I

INTERPRETATION

1 F49

Textual Amendments

F49 Sch. 3 ss. 1–4 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

PART II

WORKS AND LANDS

2–4. F50

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Water Act 1945. (See end of Document for details)

Textual Amendments

F50 Sch. 3 ss. 1–4 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

5 **F51**

Textual Amendments

F51 Sch. 3 s. 5 repealed by Telecommunications Act 1984 (c. 12, SIF 96), ss. 2, 109, Sch. 4 para. 22(4)(6), Sch. 5 para. 45, **Sch. 7 Pt. I**

6—9. **F52**

Textual Amendments

F52 Sch. 3 ss. 6–9, 11–46, 52–58 repealed by Water Act 1989 (c.15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to savings in Sch. 26 paras. 6, 46(1))

PART III

10 **F53**

Textual Amendments

F53 Sch. 3 s. 10 repealed by Water Resources Act 1963 (c. 38), s. 136(4), **Sch. 14 Pt. II**

PART IV

MINERALS UNDERLYING WATERWORKS

11—18. **F54**

Textual Amendments

F54 Sch. 3 ss. 6–9, 11–46, 52–58 repealed by Water Act 1989 (c.15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to savings in Sch. 26 paras. 6, 46(1))

PART V

POWER TO LAY MAINS, &C.

19—21. **F55**

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Water Act 1945. (See end of Document for details)

Textual Amendments

F55 Sch. 3 ss. 6–9, 11–46, 52–58 repealed by Water Act 1989 (c.15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to savings in Sch. 26 paras. 6, 46(1))

PART VI

Breaking Open Streets, &c.

22—28. **F56**

Textual Amendments

F56 Sch. 3 ss. 6–9, 11–46, 52–58 repealed by Water Act 1989 (c.15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to savings in Sch. 26 paras. 6, 46(1))

PART VII

SUPPLY OF WATER FOR DOMESTIC PURPOSES

29—31. **F57**

Textual Amendments

F57 Sch. 3 ss. 6–9, 11–46, 52–58 repealed by Water Act 1989 (c.15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to savings in Sch. 26 paras. 6, 46(1))

PART VIII

SUPPLY OF WATER FOR PUBLIC PURPOSES

32—38. **F58**

Textual Amendments

F58 Sch. 3 ss. 6–9, 11–46, 52–58 repealed by Water Act 1989 (c.15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to savings in Sch. 26 paras. 6, 46(1))

*Status: Point in time view as at 01/02/1991.**Changes to legislation: There are currently no known outstanding effects for the Water Act 1945. (See end of Document for details)***PART IX**

CONSTANCY AND PRESSURE OF SUPPLY

39 F59

Textual Amendments**F59** Sch. 3 ss. 6–9, 11–46, 52–58 repealed by Water Act 1989 (c.15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to savings in Sch. 26 paras. 6, 46(1))**PART X**

LAYING AND MAINTENANCE OF SUPPLY PIPES AND COMMUNICATION PIPES

40–44. F60

Textual Amendments**F60** Sch. 3 ss. 6–9, 11–46, 52–58 repealed by Water Act 1989 (c.15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to savings in Sch. 26 paras. 6, 46(1))**PART XI**

STOPCOCKS

45 F61

Textual Amendments**F61** Sch. 3 ss. 6–9, 11–46, 52–58 repealed by Water Act 1989 (c.15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to savings in Sch. 26 paras. 6, 46(1))**PART XII**

WATER RATES AND CHARGES

46 F62

Textual Amendments**F62** Sch. 3 ss. 6–9, 11–46, 52–58 repealed by Water Act 1989 (c.15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to savings in Sch. 26 paras. 6, 46(1))

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Water Act 1945. (See end of Document for details)

47—51. F63

Textual Amendments

F63 Sch. 3 ss. 47–51 repealed by Water Act 1973 (c. 37), Sch. 9

52—58. F64

Textual Amendments

F64 Sch. 3 ss. 6–9, 11–46, 52–58 repealed by Water Act 1989 (c.15, SIF 130), s. 190, Sch. 27 Pt. I (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to savings in Sch. 26 paras. 6, 46(1))

59 F65

Textual Amendments

F65 Sch. 3 s. 59 repealed by Public Utility Transfers and Water Charges Act 1988 (c. 15, SIF 130), s. 6, Sch. 3

PART XIII

**PROVISIONS FOR PREVENTING WASTE, &C., OF
WATER, AND AS TO METERS AND OTHER FITTINGS**

60—65. F66

Textual Amendments

F66 Sch. 3 ss. 60–65 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, Sch. 27 Pt. I (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

66 F67

Textual Amendments

F67 Sch. 3 s. 66 repealed by Public Utility Transfers and Water Charges Act 1988 (c.15, SIF 130), s. 6, Sch. 3

67, 68. F68

Textual Amendments

F68 Sch. 3 ss. 67, 68 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, Sch. 27 Pt. I (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

69 F69

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Water Act 1945. (See end of Document for details)

Textual Amendments

F69 Sch. 3 s. 69 repealed by Public Utility Transfers and Water Charges Act 1988 (c.15, SIF 130), s. 6, **Sch. 3**

70 **F70**

Textual Amendments

F70 Sch. 3 ss. 70–73 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

PART XIV

POLLUTION OF WATER BY MANUFACTURE, &C. , OF GAS

71—73. **F71**

Textual Amendments

F71 Sch. 3 ss. 70–73 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

PART XV

FINANCIAL PROVISIONS APPLICABLE TO WATER COMPANIES

74—77. **F72**

Textual Amendments

F72 Sch. 3 ss. 74–77 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. II** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6 for this Act and to a further saving for s. 74(1)(2) as mentioned in S.I. 1989/1557, **art. 5(2)**)

78 **F73**

Textual Amendments

F73 Sch. 3 ss. 78–80 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

Status: Point in time view as at 01/02/1991.
Changes to legislation: There are currently no known outstanding effects for the Water Act 1945. (See end of Document for details)

PART XVI

GENERAL AND MISCELLANEOUS

79—80. F74

Textual Amendments

F74 Sch. 3 ss. 78–80 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

81 F75

Textual Amendments

F75 Sch. 3 s. 81 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. II** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

82—94. F76

Textual Amendments

F76 Sch. 3 ss. 82–94 repealed by Water Act 1989 (c. 15, SIF 130), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

FOURTH SCHEDULE

Sections 31, 40.

AMENDMENTS TO THE PUBLIC HEALTH ACT, 1936.

Modifications etc. (not altering text)

C16 The text of Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

. F77

Textual Amendments

F77 Entries repealed by Water Act 1973 (c. 37, SIF 130), **Sch. 9** and also expressed to be repealed in pt. by Building Act 1984 (c. 55, SIF 15), **Sch. 7**

In section two hundred and seventy-five, for the words “drain or communication pipe for water” there shall be substituted the words “or drain”.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Water Act 1945. (See end of Document for details)

F78

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Textual Amendments

F78 Entries repealed by [Water Act 1989 \(c. 15, SIF 130\)](#), s. 190, **Sch. 27 Pt. I** (with ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)–(10), 193(1), Sch. 26 paras. 3(1)(2), 17, 40(4), 41(1), 57(6), 58) (and subject to a saving in Sch. 26 para. 6)

F77

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FIFTH
SCHEDULE.....
F79

Textual Amendments

F79 [Sch. 5](#) repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Water Act 1945.