STATUTORY INSTRUMENTS

1965 No. 904

LAND DRAINAGE AND IMPROVEMENT OF LAND

The Land Drainage (Grants to River Authorities) Regulations 1965

Made - - - -	*7th April* 1965
Laid before Parliament	*14th April* 1965
Coming into Operation	*15th April* 1965

The Minister of Agriculture, Fisheries and Food, in exercise of the powers conferred on him by sections 55(1) and 74 of the Land Drainage Act 1930(**a**), as applied by section 5 of the Water Resources Act 1963(**b**) and of all other powers enabling him in that behalf and with the approval of the Treasury, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Land Drainage (Grants to River Authorities) Regulations 1965 and shall come into operation on the 15th April 1965.

Revocation

2. The Land Drainage (Grants to River Boards) Regulations 1950(**c**) and the Land Drainage (Grants to River Boards) (Amendment) Regulations 1959(**d**) are hereby revoked.

Interpretation

3.—(1) In these Regulations "the Minister" means the Minister of Agriculture, Fisheries and Food.

(2) The Interpretation Act(**e**) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament and as if these Regulations and the Regulations hereby revoked were Acts of Parliament.

Conditions to which grants are subject

4. The subsequent provisions of these Regulations shall have effect for securing that any grant made by the Minister under section 55 of the Land Drainage Act 1930 towards expenditure incurred by a river authority in respect of works is subject to such conditions as are prescribed by those provisions.

5. An application for any such grant in such form and accompanied by such information as to the finances of the river authority and as to the descriptions, plans and estimated cost of the proposed works, as the Minister may require, shall be signed on behalf of the river authority in manner provided by law.

6. Any such grant shall be of such amount and made in such form as the Treasury may from time to time sanction and, without prejudice to the generality of the foregoing provision, may be made in the form of a fixed sum or of a sum to be calculated by such method as the Minister may,

(**a**) 1930 c. 44. (**b**) 1963 c. 38. (**c**) S.I. 1950/51 (1950 I, p. 1161).
(**d**) S.I. 1959/678 (1959 I, p. 1527). (**e**) 1889 c. 63.

with the approval of the Treasury, determine or of a percentage either of the total net cost of the works as approved by the Minister or of the loan charges required to meet the whole or part of any such cost.

7. The cost of a preliminary survey may be included as part of the cost of the works.

8. The river authority shall keep in such form as the Minister may require a separate account in respect of any works for which he has undertaken to make such a grant and shall send to him a copy thereof at such time or times as he may require.

9. Any such grant may be withheld if the Minister is satisfied that the river authority's accounts or other records in respect of the works are not being kept in a satisfactory manner.

10. Any officer of the Ministry of Agriculture, Fisheries and Food or any other person nominated by the Minister for the purpose shall be entitled at all reasonable times to enter on and inspect the works and the land on which they are carried out and to examine any books, accounts and vouchers of the river authority relating to those works.

11.—(1) Where the river authority have submitted proposals and estimates to the Minister and have obtained his approval thereto and subsequently wish to vary their proposals, they shall submit details of the proposed variation to the Minister for his approval.

(2) If any variation of their proposals is made by the river authority without the consent of the Minister he may, if he thinks fit, withhold or reduce such grant and the river authority shall repay to him, if so required, any advances he may have made in respect of the grant.

(3) If any variation of their proposals is made by the river authority with the consent of the Minister, he may vary such grant either by way of increase or decrease according to the nature of the variation.

12. Where the river authority have submitted proposals and estimates to the Minister and have obtained his approval thereto and subsequently abandon the proposed works sanctioned by him before they are completed in accordance with the proposals, they shall repay to the Minister, if required by him, any advances that he may have made on account of any such grant.

Saving

13. Nothing in these Regulations shall be construed as requiring a river authority to carry out proposals that have been approved by the Minister, if the river authority are of opinion that it is not expedient to do so, but in that case the river authority shall inform the Minister that it is not their intention to proceed with the proposals.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 6th April 1965.

(L.S.) *Frederick Peart,*
Minister of Agriculture, Fisheries and Food.

Approved on 7th April 1965.

J. McCann,
G. H. R. Rogers,
Two of the Lords Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations revoke and re-enact with minor and drafting amendments the Land Drainage (Grants to River Boards) Regulations 1950 (as amended) consequent on the transfer of land drainage functions from river boards to river authorities established under the Water Resources Act 1963.

These Regulations (which enact in respect of river authorities similar provisions to those in the revoked Regulations relating to river boards) prescribe the conditions subject to which grants are to be made by the Minister under section 55 of the Land Drainage Act 1930 towards expenditure incurred by those authorities in the improvement of existing drainage works or the construction of new works.

These new Regulations (unlike the revoked Regulations) do not extend to grants for the construction or improvement of rainfall gauges; grants for these are no longer payable under the Land Drainage Act 1930 but may be paid under the Water Resources Act 1963.