Section 21.

THIRD SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
52 & 53 Vict. c. 49.	The Arbitration Act, 1889.	Paragraph (*b*) of section seven; section nineteen; paragraphs (*c*) and (*e*) of the First Schedule, and in paragraph (*d*) of that schedule the words "have "allowed their time or ex- "tended time to expire with- "out making an award or."
10 & 11 Geo. 5. c. 81.	The Administration of Justice Act, 1920.	Section sixteen.

CHAPTER 15.

An Act to empower statutory water undertakers to give and to take supplies of water in bulk.

[17th May 1934.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Supply of water in bulk.

1.—(1) Subject to the provisions of this Act any statutory water undertakers may enter into and carry into effect agreements with any other statutory water undertakers for the giving by the one and the taking by the other of a supply of water in bulk.

(2) An agreement under this Act—

(*a*) may provide for the giving and taking of the supply for any period and on any terms and conditions and either within or beyond the limits of supply of the supplying undertakers;

(*b*) shall not be entered into except with the consent of the Minister of Health;

(*c*) where the undertakers taking the supply are a local authority, and the area to be supplied is within the limits of supply of any other statutory water undertakers, shall not be entered into except with the consent of those other undertakers.

(3) The Minister of Health shall not give his consent to an agreement if it appears to him that the giving of the supply would be likely to interfere with the supply of water for domestic or other purposes within the limits of supply of the supplying undertakers.

(4) For the purpose of giving or taking a supply of water in pursuance of an agreement made under this Act, statutory water undertakers may exercise either within or beyond their limits of supply any of the powers which, under sections twenty-eight to thirty-four of the Waterworks Clauses Act, 1847 (which relate to the breaking up of streets for the purpose of laying pipes) are exercisable by undertakers within the limits of a special Act for the purpose of supplying water to the inhabitants of the district included within those limits: 10 & 11 Vict. c. 17.

Provided that the consent of the persons, under whose control or management a street or bridge is, shall be required to the opening or breaking up thereof, but that consent shall not be unreasonably withheld, and any question whether or not consent is unreasonably withheld shall be decided by the Minister:

Provided also that, where the undertakers propose to open or break up any length of a street which forms a level crossing or crosses over or under a railway or works of a railway company or railway committee or crosses over or under a canal or inland navigation maintained by a navigation authority and the railway company or committee or navigation authority are not the persons having the control or management of that length of the street, the undertakers shall give the like notice to the railway company or railway committee or navigation authority as they are required by section thirty of the Waterworks Clauses Act, 1847, to give to the persons under whose control or management the street

is, and if and in so far as the proposed opening or breaking up of the street would be likely to affect the structure of any bridge or other works belonging to the company or committee or authority, the undertakers shall carry out their proposals under the superintendence and to the reasonable satisfaction of the engineer of the company or committee or authority in accordance with plans to be submitted to and approved by him, and any dispute or difference which may arise between the undertakers and the company or committee or authority shall be referred to the arbitration of an engineer to be appointed on the application of either party by the President of the Institution of Civil Engineers.

For the purposes of this proviso the expressions "railway company" and "railway committee" shall include the London Passenger Transport Board.

(5) The powers conferred by this Act on statutory water undertakers shall be deemed to be in addition to, and not in substitution for, any powers conferred upon them under any other enactment:

Provided that this Act shall not be deemed to authorise statutory water undertakers who have power under any Act of Parliament, other than this Act, or under any Order confirmed by Parliament to supply water in bulk, subject to a prohibition against supplying water outside the catchment area which includes their limits of supply, to supply water in bulk outside that catchment area.

Procedure on application for the Minister's consent.

2.—(1) Statutory water undertakers who propose to enter into an agreement under this Act shall cause a notice to be published in one or more local newspapers circulating within their respective limits of supply, stating the effect of the proposals, and that objections with respect to the proposals may be made to the Minister within twenty-one days after the publication of the notice, and shall send a notice in similar terms to the Catchment Board of any area from which water is obtained by the undertaker who proposes to give the supply.

23 & 24 Geo. 5. c. 51.

(2) The provisions of section two hundred and ninety of the Local Government Act, 1933 (which relates to the holding of local inquiries in certain cases, including where the Minister is authorised by that Act to give a consent

to any matter) shall have effect, before as well as after the coming into operation of that Act, as if the consent of the Minister to an agreement under this Act were a consent which he is authorised to give under that Act.

Interpretation.

3. In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them :—

"Limits of supply" means in relation to any undertakers the limits within which they are for the time being authorised, under any Act of Parliament other than this Act, or under any order confirmed by Parliament, to supply water :

"Statutory water undertakers" means—

(*a*) the following local authorities, that is to say, the council of any borough or urban or rural district and a joint board, or joint committee, constituted under the Public Health Act, 1875, or under a local Act for the purposes of the provision of a common water supply; and 38 & 39 Vict. c. 55.

(*b*) any company, board or persons empowered by Act of Parliament, or an order confirmed by Parliament, to supply water :

"Navigation authority" means any person or body of persons having powers under any Act of Parliament to work or maintain a canal or other inland navigation :

"Supply of water in bulk" means supply of water for distribution by the undertakers taking the supply.

Short title and extent.

4.—(1) This Act may be cited as the Supply of Water in Bulk Act, 1934.

(2) This Act shall not extend to Scotland or Northern Ireland.