STATUTORY INSTRUMENTS

1989 No. 1939

WATER, ENGLAND AND WALES

The Water (Pensions and Compensation) (Transfer of Liabilities) Regulations 1989

Made - - - -	*19th October 1989*
Laid before Parliament	*27th October 1989*
Coming into force	*17th November 1989*

Whereas on the 30th August 1989 the Secretary of State for the Environment and the Secretary of State for Wales made the Water Act 1973 (Savings) Direction 1989(a);

And whereas liabilities saved by virtue of that Direction were on 1st September 1989 transferred in accordance with schemes under Schedule 2 to the Water Act 1989(b) ("the Act") to companies nominated to succeed the water authorities;

And whereas those companies are wholly owned by the Crown;

Now, therefore, the Secretary of State for Wales, in relation to liabilities of the successor company nominated by him, and the Secretary of State for the Environment, in relation to liabilities of the other successor companies, in exercise of the powers conferred on them by section 185(2)(e) of, and paragraph 1(2) of Schedule 26 to, the Act, and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Water (Pensions and Compensation) (Transfer of Liabilities) Regulations 1989 and shall come into force on 17th November 1989.

Transfer of liabilities

2. All liabilities of a water authority saved by virtue of paragraph 1 or 2 of the Water Act 1973 (Savings) Direction 1989 (pensions and compensation for chairmen and members of water authorities) and transferred to that authority's successor company as mentioned in the second recital to these Regulations, shall become liabilities of that company's nominated holding company.

Continuity

3.—(1) Anything done by or in relation to (or having effect as if done by or in relation to) a successor company in connection with a liability transferred by regulation 2 shall, so far as is required for continuing its effect on or after 17th November 1989, have effect as if done by or in relation to that company's nominated holding company.

(a) Made under paragraph 1(1) of Schedule 26 to the Water Act 1989. Copies may be obtained (free of charge) from the Department of the Environment, Romney House, 43 Marsham Street, London SW1P 3PY.
(b) 1989 c.15.

(2) Without prejudice to the generality of paragraph (1), that paragraph applies to the making of any appeal, claim, decision or determination, to the giving of any notice and to the bringing of any action or proceeding.

(3) Any pending action or proceeding may be amended in such manner as may be necessary or proper in consequence of these Regulations.

Peter Walker
19th October 1989 Secretary of State for Wales

Chris Patten
17th October 1989 Secretary of State for the Environment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are consequential upon the Water Act 1989. They transfer to the holding companies of the companies which succeeded the water authorities two sets of liabilities of those successor companies. The first set relates to the payment of pensions to chairmen and members of water authorities. The second set relates to the payment of compensation to such persons when they cease to be water authority members. These liabilities were excluded from the general transfer of pension and compensation liabilities made by the Water Reorganisation (Pensions etc.) Regulations 1989 (S.I. 1989/1161).

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