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**Changes to legislation:** Norfolk and Suffolk Broads Act 1988, Cross Heading: Land Drainage is up to date with all changes known to be in force on or before 13 May 2024. 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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## SCHEDULES

### SCHEDULE 3

#### FUNCTIONS OF AUTHORITY

#### PART II

#### MISCELLANEOUS FUNCTIONS

##### *Land Drainage*

- 33 (1) The Authority [<sup>F1</sup>may], after consulting—
- (a) the internal drainage board for each internal drainage district which is wholly or partly within the Broads;
  - [<sup>F2</sup>(b) Natural England;]
  - [<sup>F3</sup>(d) The National Rivers Authority;]
- and with the agreement of the Minister of Agriculture, Fisheries and Food, prepare and issue (in such form and in such manner as it considers appropriate) a code of practice for the construction, alteration, renewal, maintenance or extension of drainage works within the Broads.
- (2) The Authority shall from time to time review [<sup>F4</sup>any code of practice issued under sub-paragraph (1) above] and, where it considers it appropriate, issue a revised code.
- (3) Before issuing a revised code the Authority shall consult the bodies mentioned in sub-paragraph (1) above.
- (4) The Authority shall not issue a revised code unless it has the agreement of the Minister.
- (5) Any drainage authority exercising functions in relation to any land within the Broads shall comply with the code.
- (6) Where it appears to the Authority that a drainage authority has failed to comply with any provision of the code, the Authority may give such directions to the drainage authority as it thinks fit.
- (7) Any dispute between the Authority and a drainage authority which arises in connection with the code shall be determined by the Minister of Agriculture, Fisheries and Food.
- (8) In this paragraph “drainage authority” means any body having statutory power to make or maintain works for the drainage of land.

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#### Textual Amendments

- F1** Words in Sch. 3 para. 33(1) substituted (2.7.2009) by Broads Authority Act 2009 (c. i), Sch. 7 para. 11(1) (with ss. 2(3), 3(1), 16(3), 42, Sch. 6 Pts. 2, 3)
- F2** Sch. 3 para. 33(1)(b)(c) substituted for Sch. 3 para. 33(1)(b) (1.10.2006) by Natural Environment and Rural Communities Act 2006 (c. 16), s. 107, Sch. 11 para. 114; S.I. 2006/2541, art. 2 (with Sch.)
- F3** Sch. 3 para. 33(1)(d) substituted by S.I. 1989/1380, regs. 3(1), 4(c)
- F4** Words in Sch. 3 para. 33(2) substituted (2.7.2009) by Broads Authority Act 2009 (c. i), Sch. 7 para. 11(2) (with ss. 2(3), 3(1), 16(3), 42, Sch. 6 Pts. 2, 3)

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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. 9(8A) inserted by [2008 c. 29 s. 224\(2\)\(b\)](#)