

*These notes refer to the Natural Environment and Rural Communities Act 2006 (c.16) which received Royal Assent on 30 March 2006*

# NATURAL ENVIRONMENT AND RURAL COMMUNITIES ACT 2006

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1: Natural England and the Commission for Rural Communities**

##### *Chapter 2: Commission for Rural Communities*

#### **The Commission and its general purpose**

##### *Section 17: Commission for Rural Communities*

85. This section establishes the Commission for Rural Communities.
86. It introduces Schedule 2, which sets out the constitution of the Commission, including provisions about its status, membership, chief executive and other employees, pay and pensions, procedure, accounts and annual reports.

##### *Section 18: Commission's general purpose*

87. This section sets out the general purpose of the Commission. The purpose is focused upon the social and economic needs of persons in rural areas of England, especially people suffering from social disadvantage and areas suffering from economic under-performance. The general purpose of the Commission is to promote awareness among relevant persons of rural needs, and to promote the meeting of those needs in ways that contribute to sustainable development. "Relevant persons" is defined by section 18 as meaning public authorities and other bodies which appear to the Commission to be concerned with any aspect of rural needs.

#### **Functions**

##### *Section 19: Representation, advice and monitoring*

88. The three main functions of the Commission are:
- representation: i.e. to be an advocate to the Government and others for the social and economic needs of rural people, especially those suffering social disadvantage and those in areas suffering from economic under-performance;
  - information and advice: i.e. to provide advice to the Government and others on issues affecting rural needs in England and ways of meeting them; and
  - monitoring and reporting: i.e. to monitor and report on the way in which relevant persons' policies are developed, adopted and implemented report (by rural proofing or otherwise) and the extent to which those policies are meeting rural needs.

***Section 20: Research***

89. This section gives the Commission powers to undertake, commission and support research which relates to its general purpose. The power to support research is not limited to financial support and so could include the provision of accommodation, equipment, expertise and any supporting working arrangements. "Research" is defined by section 30 to include inquiries and investigations.

***Section 21: Information services etc.***

90. The Commission may publish documents or provide information about any matter relating to its general purpose. It may also assist others in such activities.
91. In broad terms it is intended that the Commission will be a body that gives advice based on its assessment of rural needs; it is not intended that it will provide services directly to the public.

***Section 22: Power to charge for services***

92. This section enables the Commission to charge what it considers a reasonable amount for services. This would, for example, enable the Commission to charge for its publications. The Commission must obtain the Secretary of State's consent before it charges for any services.

***Section 23: Incidental powers***

93. This section gives the Commission powers to take action which will help it to exercise its functions.

**Powers of Secretary of State**

***Section 24: Grants***

94. This section enables the Secretary of State to fund the Commission. The Secretary of State may impose conditions when giving a grant (for example, a condition requiring the Commission to supply a financial memorandum or enter into a management agreement).

***Section 25: Directions***

95. This section enables the Secretary of State to give the Commission directions as to the exercise of its functions. The Commission must comply with directions made under this section.