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**Changes to legislation:** There are currently no known outstanding effects for the Natural Environment and Rural Communities Act 2006, Cross Heading: Countryside Act 1968 (c. 41). (See end of Document for details)

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## SCHEDULES

### SCHEDULE 11

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### PART 1

##### GENERAL

##### *Countryside Act 1968 (c. 41)*

<sup>F1</sup>41 .....

.....  
**Textual Amendments**

**F1** Sch. 11 paras. 41, 42 omitted (21.5.2016) by virtue of [Environment \(Wales\) Act 2016 \(anaw 3\)](#), s. 88(2) (a), [Sch. 2 para. 9\(4\)\(c\)](#)

<sup>F1</sup>42 .....

.....  
**Textual Amendments**

**F1** Sch. 11 paras. 41, 42 omitted (21.5.2016) by virtue of [Environment \(Wales\) Act 2016 \(anaw 3\)](#), s. 88(2) (a), [Sch. 2 para. 9\(4\)\(c\)](#)

43 (1) Amend section 2 (new functions of the Agency) as follows.

<sup>F2</sup>(2) .....

<sup>F2</sup>(3) .....

(4) In subsection (5)—

<sup>F3</sup>(a) .....

<sup>F3</sup>(b) .....

(c) in paragraph (b)—

<sup>F4</sup>(i) .....

(ii) for “provisions of section 1(2)” substitute “ purposes mentioned in section 1(1) ”.

<sup>F5</sup>(5) .....

(6) In subsection (9)—

(a) omit “Agency and the” and “Agency or”, and

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(b) for “Exchequer grants under the Act of 1949” substitute “ grants under section 16 of the Welsh Development Agency Act 1975 ”.

F<sup>6</sup>(7) .....

**Textual Amendments**

**F2** Sch. 11 para. 43(2)(3) omitted (21.5.2016) by virtue of [Environment \(Wales\) Act 2016 \(anaw 3\)](#), s. 88(2)(a), [Sch. 2 para. 9\(4\)\(d\)\(i\)](#)

**F3** Sch. 11 para. 43(4)(a)(b) omitted (21.5.2016) by virtue of [Environment \(Wales\) Act 2016 \(anaw 3\)](#), s. 88(2)(a), [Sch. 2 para. 9\(4\)\(d\)\(ii\)](#)

**F4** Sch. 11 para. 43(4)(c)(i) omitted (21.5.2016) by virtue of [Environment \(Wales\) Act 2016 \(anaw 3\)](#), s. 88(2)(a), [Sch. 2 para. 9\(4\)\(d\)\(ii\)](#)

**F5** Sch. 11 para. 43(5) omitted (21.5.2016) by virtue of [Environment \(Wales\) Act 2016 \(anaw 3\)](#), s. 88(2)(a), [Sch. 2 para. 9\(4\)\(d\)\(iii\)](#)

**F6** Sch. 11 para. 43(7) omitted (21.5.2016) by virtue of [Environment \(Wales\) Act 2016 \(anaw 3\)](#), s. 88(2)(a), [Sch. 2 para. 9\(4\)\(d\)\(iv\)](#)

**Commencement Information**

**I1** Sch. 11 para. 43 in force at 1.10.2006 by [S.I. 2006/2541](#), [art. 2](#) (with [Sch.](#))

F<sup>7</sup>44 .....

**Textual Amendments**

**F7** Sch. 11 para. 44 omitted (21.5.2016) by virtue of [Environment \(Wales\) Act 2016 \(anaw 3\)](#), s. 88(2)(a), [Sch. 2 para. 9\(4\)\(e\)](#)

45 In section 8 (country park: sailing, boating, bathing and fishing), in subsection (5), for “the Agency” substitute “ Natural England ”.

**Commencement Information**

**I2** Sch. 11 para. 45 in force at 1.10.2006 by [S.I. 2006/2541](#), [art. 2](#) (with [Sch.](#))

46 (1) Amend section 12 (facilities in or near National Parks) as follows.

(2) In subsection (1)—

(a) in the first sentence, omit “, at the request of, and in accordance with terms laid down by, the Agency or, as the case may be, the Council,”, and

(b) omit the second sentence.

(3) In subsection (5), in the first sentence, for “the Agency” substitute “ Natural England ”.

**Commencement Information**

**I3** Sch. 11 para. 46 in force at 1.10.2006 by [S.I. 2006/2541](#), [art. 2](#) (with [Sch.](#))

47 In section 13 (lakes in national parks: control of boats etc.), in subsection (4)—

(a) for “sections 1 and” substitute “ section ”, and

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(b) for “the Agency” substitute “ Natural England ”.

**Commencement Information**

**I4** Sch. 11 para. 47 in force at 1.10.2006 by S.I. 2006/2541, art. 2 (with Sch.)

- 48 (1) Amend section 15 (agreements in respect of areas of special scientific interest) as follows.
- (2) In —
- (a) subsection (1), for “the Nature Conservancy Council (in this section referred to as “the Council”)” substitute “ the Council or Scottish Natural Heritage ”, and
- (b) in subsections (2) and (3), after “the Council” insert “ or (as the case may be) Scottish Natural Heritage ”.
- (3) In subsection (6), in the substituted subsection (4), for “the Council” substitute “ Scottish Natural Heritage ”.
- (4) Omit subsection (6A).

**Commencement Information**

**I5** Sch. 11 para. 48 in force at 1.10.2006 by S.I. 2006/2541, art. 2 (with Sch.)

- 49 (1) Amend section 15A (compulsory purchase) as follows.
- (2) For subsection (1) substitute—
- “(1) Natural England or the Council may, in the circumstances set out in subsection (2), acquire compulsorily all or part of the land which it appears to that body expedient to acquire for the purpose of conserving flora, fauna, or geological or physiographical features of special interest.”
- (3) In subsection (2)—
- (a) in paragraph (a)—
- (i) for “the Nature Conservancy Council” substitute “ Natural England or (as the case may be) the Council ”, and
- (ii) for “such an agreement as is referred to in section 15(2)” substitute “ an SSSI agreement ”, and
- (b) in paragraph (b), for “such an agreement” substitute “ an SSSI agreement ”.
- (4) In subsection (4), for “the Nature Conservancy Council” substitute “ Natural England or the Council ”.
- (5) Omit subsection (5).
- (6) After subsection (4) insert—
- “(6) In this section “SSSI agreement” means—
- (a) in relation to Natural England, an agreement under section 7 of the 2006 Act imposing, for the purpose of conserving flora, fauna, or geological or physiographical features of special interest,

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- restrictions on the exercise of rights over land by persons having an interest in the land, or
- (b) in relation to the Council, such an agreement as is referred to in section 15(2).”

**Commencement Information**

**I6** Sch. 11 para. 49 in force at 1.10.2006 by S.I. 2006/2541, art. 2 (with Sch.)

<sup>F8</sup>50 .....

**Textual Amendments**

**F8** Sch. 11 para. 50 omitted (21.5.2016) by virtue of Environment (Wales) Act 2016 (anaw 3), s. 88(2)(a), Sch. 2 para. 9(4)(f)

- 51 In section 37 (protection for interests in countryside) for “the Agency, the Council, English Nature” substitute “ Natural England, the Council ”.

**Commencement Information**

**I7** Sch. 11 para. 51 in force at 1.10.2006 by S.I. 2006/2541, art. 2 (with Sch.)

- 52 In section 38 (avoidance of pollution), for “the Agency” substitute “ Natural England ”.

**Commencement Information**

**I8** Sch. 11 para. 52 in force at 1.10.2006 by S.I. 2006/2541, art. 2 (with Sch.)

- 53 (1) Amend section 41 (power to make byelaws and related provisions about wardens) as follows.
- (2) For subsection (2) substitute—
- “(2) Natural England and the Council may make byelaws for the preservation of order and other purposes mentioned in subsection (1)—
- (a) in the case of Natural England, as respects land—
- (i) to which the public have rights of access under a management agreement under section 7 of the Natural Environment and Rural Communities Act 2006, or
- (ii) held by them for the purposes of an experimental scheme under section 8 of that Act, and
- (b) in the case of the Council, as respects land—
- (i) held by them for the purposes of section 4, or
- (ii) to which the public have access under an agreement under section 4(5)(b).”
- (3) In subsections (5), (8) and (9), for “the Agency” substitute “ Natural England ”.

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**Commencement Information**

**I9** Sch. 11 para. 53 in force at 1.10.2006 by S.I. 2006/2541, art. 2 (with Sch.)

54 In section 45 (agreements with landowners), in subsection (1), omit “the Agency”.

**Commencement Information**

**I10** Sch. 11 para. 54 in force at 1.10.2006 by S.I. 2006/2541, art. 2 (with Sch.)

55 (1) Amend section 46 (application of general provisions of 1949 Act) as follows.

<sup>F9</sup>(2) .....

(3) In subsection (4), omit “experimental projects or schemes”.

**Textual Amendments**

**F9** Sch. 11 para. 55(2) omitted (21.5.2016) by virtue of Environment (Wales) Act 2016 (anaw 3), s. 88(2) (a), Sch. 2 para. 9(4)(g)

**Commencement Information**

**I11** Sch. 11 para. 55 in force at 1.10.2006 by S.I. 2006/2541, art. 2 (with Sch.)

56 In section 49 (interpretation), in subsection (2), omit the definition of “the Agency”.

**Commencement Information**

**I12** Sch. 11 para. 56 in force at 1.10.2006 by S.I. 2006/2541, art. 2 (with Sch.)

**Changes to legislation:**

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