

Draft Order laid before Parliament under section 11 of the Public Bodies Act 2011, for approval by resolution of each House of Parliament after the expiry of the 40-day period referred to in section 11(4) of that Act.

DRAFT STATUTORY INSTRUMENTS

2012 No.

**PUBLIC BODIES
RURAL AFFAIRS, ENGLAND AND WALES**

**The Public Bodies (Abolition of the Commission
for Rural Communities) Order 2012**

Made - - - - *******

Coming into force in accordance with article 1

The Secretary of State, in exercise of the powers conferred by sections 1(1), 6(1) and (5) and 35(2) of the Public Bodies Act 2011⁽¹⁾ (“the Act”), makes this Order.

In accordance with section 8 of the Act, the Secretary of State considers that this Order—

- (a) serves the purpose of improving the exercise of public functions, having had regard to the factors set out in section 8(1) of the Act;
- (b) does not remove any necessary protection or prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise.

The Secretary of State has carried out consultation in accordance with section 10 of the Act.

A draft of this Order and an explanatory document containing the information required in section 11(2) of the Act have been laid before Parliament in accordance with section 11(1) after the end of the period of twelve weeks mentioned in section 11(3).

In accordance with section 11(4) of the Act, the draft of this Order has been approved by resolution of each House of Parliament after the expiry of the 40-day period referred to in that provision.

Citation, extent and commencement

1.—(1) This Order may be cited as the Public Bodies (Abolition of the Commission for Rural Communities) Order 2012.

(2) This Order extends to England and Wales, except as provided by paragraph **(3)**.

⁽¹⁾ 2011 c. 24.

(3) The repeals and revocations made by article 4 and the Schedule have the same extent as the provisions to which they relate.

(4) This Order comes into force on 1st April 2013, except as provided by paragraph (5).

(5) In respect of the final entry (Public Bodies Act 2011) in the table of repeals in the Schedule, article 4 comes into force on 2nd April 2013.

Abolition of the Commission for Rural Communities

2. The body known as the Commission for Rural Communities established by section 17 of the Natural Environment and Rural Communities Act 2006(2) is abolished.

Transitional provisions

3.—(1) The Secretary of State must prepare a report on how the Commission for Rural Communities has discharged its functions during the period from 1st April 2012 to 31st March 2013 inclusive (“the relevant year”).

(2) The Secretary of State must—

- (a) prepare a statement of accounts of the Commission for Rural Communities in respect of the relevant year, and
- (b) send copies of the statement to the Comptroller and Auditor General.

(3) The Comptroller and Auditor General must—

- (a) examine, certify and report on the statement prepared under paragraph (2), and
- (b) send a copy of the certified statement and of the Comptroller and Auditor General’s report to the Secretary of State as soon as possible.

(4) The Secretary of State must lay before each House of Parliament a document consisting of—

- (a) a copy of the report prepared under paragraph (1), and
- (b) a copy of the statement and report sent under paragraph (3)(b).

Repeals and revocations

4. The provisions mentioned in the Schedule are repealed or revoked to the extent specified.

Date

Name
Parliamentary Under Secretary of State
Department for Environment, Food and Rural
Affairs

SCHEDULE

Article 4

Repeals and revocations

Table of repeals

<i>Short title</i>	<i>Extent of repeal</i>
Industrial Organisation and Development Act 1947(3)	Section 5(3A)(c) (restriction on disclosure of information).
Superannuation Act 1972(4)	In Schedule 1 (kinds of employment, etc, referred to in section 1), the entry relating to the Commission for Rural Communities.
House of Commons Disqualification Act 1975(5)	In Part 2 of Schedule 1 (bodies of which all members are disqualified), the entry relating to the Commission for Rural Communities.
Inheritance Tax Act 1984(6)	In Schedule 3 (gifts for national purposes, etc), the entry relating to the Commission for Rural Communities.
Freedom of Information Act 2000(7)	In Part 6 of Schedule 1 (bodies that are public authorities for the purposes of the Act), the entry relating to the Commission for Rural Communities.
Natural Environment and Rural Communities Act 2006	Chapter 2 of Part 1 (Commission for Rural Communities). Schedule 2.
Public Bodies Act 2011	In Schedule 1 (power to abolish: bodies and offices), the entry relating to the Commission for Rural Communities.

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- (3) 1947 c. 40. Subsection (3A) was inserted by paragraph 4 of Schedule 11 to the Natural Environment and Rural Communities Act 2006. There are other amendments that are not relevant to this instrument.
- (4) 1972 c. 11. That entry was inserted by paragraph 58(2) of Schedule 11 to the Natural Environment and Rural Communities Act 2006. There are other amendments that are not relevant to this instrument.
- (5) 1975 c. 24. That entry had been inserted by paragraph 60(2) of Schedule 11 to the Natural Environment and Rural Communities Act 2006. There are other amendments that are not relevant to this instrument.
- (6) 1984 c. 51. That entry had been inserted by paragraph 105 of Schedule 11 to the Natural Environment and Rural Communities Act 2006. There are other amendments that are not relevant to this instrument.
- (7) 2000 c. 36. That entry had been inserted by paragraph 153(2) of Schedule 11 to the Natural Environment and Rural Communities Act 2006. There are other amendments that are not relevant to this instrument.

Table of revocations

<i>Title</i>	<i>Extent of revocation</i>
The Infrastructure Planning (National Policy Statement Consultation) Regulations 2009 (8)	In table 1 in regulation 3 (consultation), the entry relating to the Commission for Rural Communities.
The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (9)	In the table in Schedule 1, the entry relating to the Commission for Rural Communities.
The Infrastructure Planning (Interested Parties) Regulations 2010 (10)	In the table in Schedule 1 (statutory parties to the examination of an application), the entry relating to the Commission for Rural Communities.
The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (11)	In the table in Schedule 2 (table of persons to be notified of the proposed provision), the entry relating to the Commission for Rural Communities.
The Town and Country Planning (Regional Strategy) (England) Regulations 2010 (12)	In the definition of “specific consultation bodies” in regulation 2(1), the entry relating to the Commission for Rural Communities.
The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (13)	In the table in Schedule 1 (consultation and notification), the entry relating to the Commission for Rural Communities.

(8) S.I. 2009/1302.
(9) S.I. 2009/2264.
(10) S.I. 2010/102.
(11) S.I. 2010/104.
(12) S.I. 2010/601.
(13) S.I. 2011/2055.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order abolishes the Commission for Rural Communities established by section 17 of the Natural Environment and Rural Communities Act 2006, and makes consequential repeals and revocations.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Rural Communities Policy Unit of the Department for Environment, Food and Rural Affairs, Temple Quay House, 2 The Square, Bristol, BS1 6EB and from Defra's website at www.defra.gov.uk.