

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

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 7: Inland Waterways

Section 73: Inland Waterways Advisory Council

193. This section changes the name of the Inland Waterways Amenity Advisory Council to the Inland Waterways Advisory Council.

Section 74: Constitution of Council

194. This section substitutes for section 110 of the Transport Act 1968 (which governs the existing Inland Waterways Amenity Advisory Council) a new section 110 setting out the arrangements governing the composition of the Council and the procedures to be adopted for the appointment of the chairman and members. The section removes the requirement to consult the chairman of the British Waterways (referred to in the 1968 Act as the Waterways Board) before making appointments to the Council.

Section 75: Term of office, procedure etc.

195. This section adds a new section 110A to the 1968 Act setting out the terms under which the members of the new Council hold office, and the procedure for the appointment of regional and other committees. The new section also provides for the payment of members' expenses and allowances, and the remuneration of the chairman.
196. The Waterways Board is currently required to provide the Council with staff and accommodation. This requirement is dropped under the new section 110A. Under the new provision the Secretary of State and Scottish Ministers must provide the Council with staff and accommodation.

Section 76: Functions of Council: England and Wales

197. This section adds a new section 110B to the 1968 Act setting out the functions of the new Council in relation to England and Wales. New section 110B effectively replaces section 110(2) of the 1968 Act in relation to England and Wales. It gives the Council the role of providing advice to the Secretary of State and navigation authorities about matters relevant to inland waterways in England and Wales. It also allows the Council to provide any other interested person with such advice.

Section 77: Functions of Council: Scotland

198. This section changes the functions of the Council in relation to Scotland by adding a new section 110C to the 1968 Act. New section 110C effectively replaces section 110(2) of the 1968 Act in relation to Scotland. It gives the Council the function of providing advice to Scottish Ministers and the Waterways Board about matters relevant to inland

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waterways in Scotland which are either owned or managed by the Waterways Board or in respect of which the Board is providing advice or assistance. It also allows the Council to advise other interested persons about such matters.