Flood and Water Management Act 2010

2010 CHAPTER 29

PART 1

FLOOD AND COASTAL EROSION RISK MANAGEMENT

5. General

28 Power to make further amendments

(1) The Minister may by order amend an Act listed in subsection (2) if the Minister thinks the amendment necessary or desirable in consequence of this Part.

(2) The Acts are—

(a) the Public Health Act 1936 (so far as relevant to water),

(b) the Coast Protection Act 1949,

(c) the Highways Act 1980 (so far as relevant to water),

(d) the Land Drainage Act 1991,

(e) the Water Resources Act 1991, and

(f) the Environment Act 1995.

(3) In this section "the Minister" means—

[[F1](a) the Welsh Ministers, where the amendment—

(i) relates to a matter in respect of which functions may be exercised by the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Government, or

(ii) would be within the legislative competence of the National Assembly for Wales if contained in an Act of the Assembly, and**]**

(b) the Secretary of State, for all other purposes.

(4) An order under this section may not be made unless a draft has been laid before and approved by resolution of—

(a) each House of Parliament, in the case of an order made by the Secretary of State, and

(b) the National Assembly for Wales, in the case of an order made by the Welsh Ministers.

Textual Amendments

F1 S. 28(3)(a) substituted (1.4.2018) by Wales Act 2017 (c. 4), s. 71(4), **Sch. 6 para. 85** (with Sch. 7 paras. 1, 6); S.I. 2017/1179, reg. 3(r)

Commencement Information

I1 S. 28 in force at 1.10.2010 by S.I. 2010/2169, art. 4, **Sch.**

Changes to legislation:
There are currently no known outstanding effects for the Flood and Water Management Act 2010, Section 28.