



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

*Changes to legislation: There are currently no known outstanding effects for the
Flood and Water Management Act 2010, Section 28. (See end of Document for details)*

- (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

- II** 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.