



National Parks and Access to the Countryside Act 1949

1949 CHAPTER 97

PART I

THE NATIONAL PARKS COMMISSION

1 The National Parks Commission

There shall be a National Parks Commission which shall be charged with the duty of exercising the functions conferred on them by the following provisions of this Act—

- (a) for the preservation and enhancement of natural beauty in England and Wales, and particularly in the areas designated under this Act as National Parks or as areas of outstanding natural beauty ;
- (b) for encouraging the provision or improvement, for persons resorting to National Parks, of facilities for the enjoyment thereof and for the enjoyment of the opportunities for open air recreation and the study of nature afforded thereby,

and of exercising such other functions as are conferred on the Commission by this Act.

2 Constitution of Commission

- (1) The National Parks Commission (hereinafter referred to as " the Commission ") shall be a body corporate by that name with a common seal, and shall consist of a chairman and such number of other members as the Minister may determine, of whom one may be appointed to be deputy chairman.
- (2) The members of the Commission shall be appointed by the Minister and shall hold and vacate office in accordance with such terms as may be prescribed by or under regulations made by the Minister and, on vacating office, shall be eligible for re-appointment.

Status: This is the original version (as it was originally enacted).

- (3) The Minister may pay to the chairman and deputy chairman of the Commission such remuneration (whether by way of salary or by way of fees), and to any of the members of the Commission such reasonable allowances in respect of—
- (a) expenses properly incurred in the performance of their duties,
 - (b) loss of remunerative time, or
 - (c) additional expenses (other than as aforesaid) necessarily incurred by them for the purpose of enabling them to perform their duties, being expenses to which they would not otherwise have been subject,
- as the Minister may with the consent of the Treasury determine.
- (4) The Commission may, with the approval of the Minister, appoint a secretary to the Commission, and may appoint such number of other officers and of servants as the Minister may with the consent of the Treasury determine.
- (5) The functions of the Commission, and of their officers and servants, shall be exercised on behalf of the Crown.
- (6) The procedure (including the quorum) of the Commission shall be such as they may determine.
- (7) The validity of any proceeding of the Commission shall not be affected by any vacancy among the members thereof or by any defect in the appointment of a member thereof.
- (8) A member of the Commission, other than the chairman or deputy chairman, shall not by reason of his membership be rendered incapable of being elected, or of sitting and voting as, a member of the House of Commons.

3 Power of Minister to give directions to Commission

- (1) The Minister may give to the Commission such directions of a general character as appear to him expedient in relation to the exercise of their functions, and the Commission shall comply with directions given under this section.
- (2) As soon as may be after giving a direction under this section the Minister shall, unless in his opinion it is against the interests of national security so to do, cause a notice setting out the direction to be published in such manner as appears to him to be requisite for informing persons and bodies of persons concerned.

4 Annual Report of Commission

- (1) The Commission shall, as soon as possible after the thirtieth day of September in each year, make to the Minister a report on the discharge by them of their functions under this Act during the period of twelve months ending with that day.
- (2) Without prejudice to the generality of subsection (1) of this section, but subject to the provisions of the next following subsection, the report of the Commission for any period shall include a record of all questions with which the Commission have been concerned during that period and which appear to the Commission to be of general public interest, indicating the purport of any representations or recommendations made by the Commission with respect thereto, and the conclusions (if any) reached thereon.
- (3) The report of the Commission for any period shall set out any direction given by the Minister during that period under the last foregoing section unless the Minister

has notified to the Commission his opinion that it is against the interests of national security so to do.

- (4) The Minister shall lay a copy of every report of the Commission under this section before each House of Parliament.