

*These notes refer to the Deregulation Act 2015 (c.20)
which received Royal Assent on 26 March 2015*

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 23: Legislation no longer of practical use

Part 5: Environment

Farm and Garden Chemicals Act 1967

941. *Paragraph 24* in Part 5 of this Schedule repeals the Farm and Garden Chemicals Act 1967, an Act which forms part of the law of England and Wales and Scotland. The repeal has the same extent. *Paragraph 25* makes amendments consequential on that repeal.
942. The 1967 Act and its associated regulations (the Farm and Garden Chemical Regulations 1971) imposed requirements on the labelling and marking of some pesticides (those listed in the Regulations) sold for use in Great Britain. In particular, they required the name of the pesticide active substance and any hazard symbol to appear on the product label. The 1967 Act's requirements were replaced initially by specific national legislation and more recently by EU legislation, currently Regulation (EC) No 1107/2009 concerning the placing of plant protection products on the market and its associated legislation. The 1967 Act is therefore now obsolete.
943. *Paragraphs 24 and 25* come into force at the end of the period of 2 months beginning with the day on which the Act is passed.

Merchant Shipping Act 1988

944. *Paragraph 26* in Part 5 repeals the Merchant Shipping Act 1988. The 1988 Act forms part of the law of England and Wales, Scotland and (for certain purposes) Northern Ireland, as will the repeal of the 1988 Act.
945. The only operative provision of the 1988 Act still in force is section 37 (licensing of tidal works by harbour authorities), with other provisions remaining in place only to support that section. The effect of section 37 is to make provision for regulations to disapply the requirements of section 34 of the [Coast Protection Act 1949 \(c. 74\)](#) in particular circumstances. Section 34 was repealed (in England and Wales by the [Marine and Coastal Access Act 2009 \(c. 23\)](#) and in Scotland by the [Marine \(Scotland\) Act 2010 \(asp 5\)](#)). Consequently neither section 37, nor the provisions which support it, have any practical effect.
946. The repeal comes into force at the end of the period of 2 months beginning with the day on which the Act is passed.

Statutory Water Companies Act 1991

947. *Paragraph 27* in Part 5 of this Schedule repeals the Statutory Water Companies Act 1991, an Act which forms part of the law of England and Wales only. *Paragraph 28* removes references to the Act and the term "statutory water company" from other Acts.

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The repeals and amendments relating to statutory water companies come into force at the end of the period of 2 months beginning with the day on which the Act is passed.

948. Statutory water companies were private businesses with share capital that were incorporated under individual Acts of Parliament. Most dated from the middle of the 19th Century and included, for example, York Waterworks which provided water supply services to the city of York. Unlike the water authorities that were privatised in 1989, statutory water companies were never in the public sector and were not required to register as limited companies under the Companies Act 1985 because they were incorporated under local Acts. The Statutory Water Companies Act regulated how the statutory water companies could operate. For example, it restricted the rate of dividend payable to shareholders and the amount the company could borrow.
949. There are no longer any statutory water companies left as, since privatisation, they have either merged with other water companies or been taken over by other limited companies. This means the provisions of the Statutory Water Companies Act are now redundant and can be repealed.

Sea Fish (Conservation) Act 1992

950. Section 10 of the Sea Fish (Conservation) Act 1992 required the Minister to report to Parliament with a review of the Act. The duty was to report within six months of 1st January 1997 after consulting those representing the interests of the fishing industry. On 20th March 1997, Lord Lucas answered a parliamentary question to explain that there was nothing of substance to report. He explained that the principal purpose of the Act had been to make provision for the introduction of restrictions on time spent at sea but the policy was suspended because of a legal challenge and a decision was subsequently made not to pursue it.
951. *Paragraph 29* repeals section 10 as the period within which the duty to report was to be discharged expired several years ago.
952. The repeal of section 10 forms part of the law of England and Wales, Scotland and Northern Ireland. It comes into force at the end of the period of 2 months beginning with the day on which the Act is passed.

Highways (Assessment of Environmental Effects) Regulations 1988 and 1994

953. *Paragraph 30* revokes two spent statutory instruments related to the assessment of the effects on the environment of certain projects for constructing or improving a highway.
954. The Highways (Assessment of Environmental Effects) Regulations 1988 inserted a new Part 5A on Environmental Impact Assessments into the Highways Act 1980 (“the 1980 Act”) so as to implement Council Directive [85/337/EEC](#). These provisions were amended by the Highways (Assessment of Environmental Effects) Regulations 1994. The provisions contained in both sets of regulations were superseded by [S.I. 1999/369](#), which inserted a replacement Part 5A into the 1980 Act so as to implement Council Directive [97/11/EC](#) (which amended Directive [85/337/EEC](#)).
955. The Regulations form part of the law of England and Wales (as will the revocations). The revocations come into force at the end of the period of 2 months beginning with the day on which the Act is passed.