STATUTORY INSTRUMENTS

1999 No. 416

The Development Commission (Transfer of Functions and Miscellaneous Provisions) Order 1999

Supplementary, incidental and consequential provisions to article 4 of this Order

5.—(1) On the transfer date the powers of the Development Commission under section 1(4) of the 1983 Act shall be transferred to the Countryside Agency.

(2) The Countryside Agency shall not give financial assistance under article 4 or paragraph (1) above to any person except in accordance with arrangements approved by the Secretary of State and the Treasury.

(3) The power of the Countryside Agency to acquire land in consequence of paragraph (1) above includes power, if authorised by the Secretary of State, to purchase land compulsorily; and the Acquisition of Land Act 1981(**1**) shall apply to any such compulsory purchase by the Countryside Agency.

(4) The Secretary of State may give the Countryside Agency directions as to the exercise of the functions transferred to it under article 4 above, and the Agency shall comply with any such directions.

(5) Anything which immediately before the transfer date is in the process of being done by or in relation to the Development Commission and which relates to any function or power transferred to the Countryside Agency under article 4 or paragraph (1) above may be continued by or in relation to the Countryside Agency as if it had been done by or in relation to that Agency.

(6) Anything done by or in relation to the Development Commission before the transfer date in respect of any matter relating to any function or power transferred to the Countryside Agency under article 4 or paragraph (1) above shall–

    (a) to the extent that the matter becomes the responsibility of the Countryside Agency in consequence of an order under section 35 of the 1998 Act or a scheme made pursuant to section 35(5) of that Act, and

    (b) so far as is required for continuing its effect on and after that date,

have effect as if done by or in relation to the Countryside Agency.

(**1**) 1981 c. 67.