

SCHEDULE

Article 3(1)

Transitional provisions

1.—(1) This paragraph makes transitional provision in relation to any reference in subordinate legislation to—

- (a) English Nature;
- (b) the Nature Conservancy Council for England;
- (c) the Countryside Agency;
- (d) the Countryside Commission; or
- (e) the Development Commission.

(2) For the purpose of anything to be done by any person on or after 1st October 2006, any such reference is to be treated as being a reference to Natural England, unless the context otherwise requires.

(3) Any reference to two or more of the bodies mentioned in sub-paragraph (1) in any list of persons to be consulted is to be treated as being a single reference to Natural England.

2.—(1) For the purposes of section 15A(2)(b) of the Countryside Act 1968(1), a breach of an agreement entered into by English Nature under section 15 of that Act(2) before 1st October 2006 is to be treated as being a breach of an SSSI agreement.

(2) In this paragraph, “SSSI agreement” has the meaning given to it in section 15A(6) of that Act(3).

3. For the purpose of amending or revoking any agreement entered into by English Nature, or any predecessor of English Nature, under section 16 of the National Parks and Access to the Countryside Act 1949(4), Natural England is to be treated as having such powers under that section in relation to England as the Countryside Council for Wales has in relation to Wales.

4. For the purpose of amending or revoking any agreement entered into by English Nature, or any predecessor of English Nature, under section 15 of the Countryside Act 1968, Natural England is to be treated as having such powers under that section in relation to England as the Countryside Council for Wales has in relation to Wales.

5. For the purpose of amending or revoking any agreement entered into by the Countryside Agency, or any predecessor of the Countryside Agency, under section 39 of the Wildlife and Countryside Act 1981(5), Natural England is to be treated as having such powers under that section in relation to England as the Countryside Council for Wales has in relation to Wales.

(1) 1968 c.41. Section 15A was inserted by the Countryside and Rights of Way Act 2000 (c.37), section 75(4); it is amended by the commencement by this Order of the Natural Environment and Rural Communities Act 2006 (c.16), section 105 and Schedule 11, paragraph 49.

(2) 1968 c.41. Section 15 was amended by the Nature Conservancy Council Act 1973 (c.54), section 1(1)(b) and Schedule 1, paragraph 9, the Wildlife and Countryside Act 1981 (c.69), sections 72(8) and 73 and Schedule 17, Part I, the Environmental Protection Act 1990 (c.43), section 132 and Schedule 9, paragraph 4(2), and section 162(2) and Schedule 16, Part VI, the Natural Heritage (Scotland) Act 1991 (c.28), section 4 and Schedule 2, paragraph 3, the Countryside and Rights of Way Act 2000 (c.37), section 73(4) and Schedule 8, paragraph 1, and section 75(3), and the Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5), section 76 and Schedule 12, Part 1, paragraph 29; it is further amended by the commencement by this Order of the Natural Environment and Rural Communities Act 2006 (c.16), section 105(1) and Schedule 11, paragraph 48.

(3) Section 15A(6) is inserted by the commencement by this Order of the Natural Environment and Rural Communities Act 2006 (c.16), section 105(1) and Schedule 11, paragraph 49.

(4) 1949 c.97. Section 16 was amended by the Nature Conservancy Council Act 1973 (c.54), section 1(1)(b) and (7) and Schedule 1, paragraph 1, and the Natural Heritage (Scotland) Act 1991 (c.28), section 4(6) and Schedule 2, paragraph 1(3); it is further amended by the commencement by this Order of the Natural Environment and Rural Communities Act 2006 (c.16), section 105(1) and Schedule 11, paragraph 14.

(5) 1981 c.69. Section 39 was amended by the Local Government Act 1985(c.51), section 7 and Schedule 3, paragraph 7, and section 102(2) and Schedule 17, the Norfolk and Suffolk Broads Act 1988 (c.4), section 2(5) and Schedule 3, Part 1, paragraph

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

6.—(1) Any list published by the Secretary of State in accordance with section 74 of the Countryside and Rights of Way Act 2000⁽⁶⁾ in relation to England is to be treated as having been published in accordance with section 41(1) of the 2006 Act.

(2) Any list published by the National Assembly for Wales in accordance with section 74 of the Countryside and Rights of Way Act 2000 in relation to Wales is to be treated as having been published in accordance with section 42(1) of the 2006 Act.

⁽⁶⁾ 2000 c.37. 31(2), the Environment Act 1995 (c.25), section 120 and Schedule 24, the Countryside and Rights of Way Act 2000 (c.37), sections 96 and 102 and Schedule 16, Part IV; it is further amended by the commencement by this Order of the Natural Environment and Rural Communities Act 2006 (c.16), section 105(1) and Schedule 11, paragraph 87.