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STATUTORY INSTRUMENTS

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**2012 No. 1659**

**CANALS AND INLAND WATERWAYS**

**PUBLIC BODIES**

**TRANSPORT**

The British Waterways Board  
(Transfer of Functions) Order 2012

*Made - - - - 1st July 2012*

*Coming into force in accordance with article 1*

The Secretary of State, in exercise of the powers conferred by sections 5(1), 6(1) to (3) and 35(2) of the Public Bodies Act 2011<sup>(1)</sup> (“the Act”), makes the following Order.

In accordance with section 8 of the Act, the Secretary of State considers that this Order—

- (a) serves the purpose of improving the exercise of public functions, having had regard to the factors set out in section 8(1) of the Act;
- (b) does not remove any necessary protection or prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise.

The Treasury have consented to the making of this Order in so far as their consent is required by section 6(4) of the Act.

The Scottish Parliament has consented to the making of this Order in so far as its consent is required by section 9(1) of the Act.

The National Assembly for Wales has consented to the making of this Order in so far as its consent is required by section 9(6) of the Act.

Canal & River Trust has consented to the transfer of functions made by this Order in so far as its consent is required by section 21(1) of the Act.

The Secretary of State has carried out consultation in accordance with section 10 of the Act.

The Secretary of State has consulted the Scottish Ministers in accordance with section 88(2) of the Scotland Act 1998<sup>(2)</sup> and the Welsh Ministers in accordance with section 63(1) of the Government of Wales Act 2006<sup>(3)</sup>.

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(1) 2011 c. 24.  
(2) 1998 c. 46.  
(3) 2006 c. 32.

A draft of this Order and an explanatory document containing the information required in section 11(2) of the Act have been laid before Parliament in accordance with section 11(1) after the end of the period of twelve weeks mentioned in section 11(3).

In accordance with section 11(7) of the Act, the draft of this Order has been approved by resolution of each House of Parliament after the expiry of the 60-day period referred to in that provision.