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WELSH STATUTORY INSTRUMENTS

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**2013 No. 755**

**The Natural Resources Body for Wales (Functions) Order 2013**

**Title, commencement and extent**

- 1.—(1) The title of this Order is the Natural Resources Body for Wales (Functions) Order 2013.
- (2) This Order comes into force on 1 April 2013.
- (3) An amendment, repeal or revocation made by this Order has the same extent as the provision to which it relates.

**Interpretation**

**2.** In this Order—

- “the 1990 Act” (“*Deddf 1990*”) means the Environmental Protection Act 1990<sup>(1)</sup>;
- “the 1995 Act” (“*Deddf 1995*”) means the Environment Act 1995<sup>(2)</sup>;
- “the Body” (“*y Corff*”) means the Natural Resources Body for Wales;
- “the Establishment Order” (“*y Gorchymyn Sefydli*”) means the Natural Resources Body for Wales (Establishment) Order 2012<sup>(3)</sup>;
- “local enactment” (“*deddfiad lleol*”) means any local Act or any subordinate legislation made under or by virtue of a local Act.

**General functions of the Natural Resources Body for Wales**

- 3.** Schedule 1 contains amendments to the Establishment Order.

**Modification and transfer of functions, consequential and other provisions**

- 4.—(1) Schedules 2 and 3 contain amendments to primary legislation which—
  - (a) modify and transfer to the Body Welsh devolved functions of the Environment Agency;
  - (b) modify and transfer to the Body and the Welsh Ministers Welsh devolved functions of the Forestry Commissioners;
  - (c) modify and transfer to the Body functions of the CCW;
  - (d) transfer to the Body functions of the Welsh Ministers relating to the environment;
  - (e) make consequential, supplementary and incidental provision.
- (2) Schedules 4, 5 and 6 contain amendments to subordinate legislation which—
  - (a) modify and transfer to the Body Welsh devolved functions of the Environment Agency;
  - (b) modify and transfer to the Body and the Welsh Ministers Welsh devolved functions of the Forestry Commissioners;

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(1) 1990 c. 43.

(2) 1995 c. 25.

(3) S.I.2012/1903 (W. 230).

- (c) modify and transfer to the Body functions of the CCW;
- (d) transfer to the Body functions of the Welsh Ministers relating to the environment;
- (e) make consequential, supplementary and incidental provision.

### **Other modifications of enactments**

5. In any local enactment which is not amended by any other provision of this Order, any reference to the CCW (however expressed), and any reference which is to be read as a reference to the CCW, is to be treated as a reference to the Body.

6. In any local enactment which is not amended by any other provision of this Order, any reference to the Forestry Commissioners (however expressed), and any reference which is to be read as a reference to the Forestry Commissioners, is to be treated in relation to Wales as a reference to the Body.

7. In any local enactment which is not amended by any other provision of this Order, other than an enactment relating to navigation, any reference to the Environment Agency (however expressed), and any reference which is to be read as a reference to the Environment Agency, is to be treated in relation to Wales as a reference to the Body.

### **Abolition of the Countryside Council for Wales**

- 8.—(1) The CCW is abolished.
- (2) Accordingly, the following are repealed—
- (a) sections 128 to 134 of the 1990 Act(4);
  - (b) Schedules 6, 8 and 9 to the 1990 Act(5);
  - (c) Part 1 of the National Parks and Access to the Countryside Act 1949(6).

### **Abolition of advisory committees**

- 9.—(1) The following are abolished—
- (a) the Environment Protection Advisory Committee established pursuant to section 12(6) of the 1995 Act;
  - (b) the regional and local fisheries advisory committee established pursuant to section 13(5) of the 1995 Act.
- (2) Accordingly, the following provisions of the 1995 Act are repealed—
- (a) section 12(7);
  - (b) section 13(8);

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(4) 1990 c. 43. Section 130 was amended by the Countryside and Rights of Way Act 2000 (c. 37), Schedule 15, paragraph 11. Sections 128 and 129 were substituted, sections 130, 131, 132 and 134 were amended, and section 133 was repealed by the Natural Environment and Rural Communities Act 2006 (c. 16), Schedule 11, paragraphs 117 to 123. Further amendments were made to sections 128, 132 and 134 by the Marine and Coastal Access Act 2009 (c. 23), section 313.

(5) There have been numerous amendments to Schedules 6, 8 and 9. Those Schedules were amended, and Schedule 7 was repealed, by the Natural Environment and Rural Communities Act 2006 (c. 16), Schedule 11, paragraphs 126 and 127, and Schedule 12. For transitional and saving provisions in connection with the repeal of Schedules 6, 8 and 9 to the 1990 Act, *see* Schedule 7 to this Order.

(6) 1949 c. 97. Section 1 was substituted by the 1990 Act, Schedule 8, paragraph 1(2). Sections 1 and 3 were amended by the Natural Environment and Rural Communities Act 2006, Schedule 11, paragraphs 7 and 8. Sections 2 and 4 were repealed by the Wildlife and Countryside Act 1981 (c. 69), Schedule 17, Part 2.

(7) The other committees established under section 12 of the 1995 Act were abolished by the Public Bodies (Abolition of Environment Protection Advisory Committees) Order 2012 (S.I. 2012/2407).

(8) The other committees established under section 13 were abolished by the Public Bodies (Abolition of Regional and Local Fisheries Advisory Committees) Order 2012 (S.I. 2012/2406).

- (c) Schedule 3;
- (d) paragraph 3 of Schedule 23.

**Transitional provisions and savings**

- 10.** Schedule 7 contains transitional provisions and savings.

25 March 2013

*Alun Davies*  
Minister for Natural Resources and Food, one of  
the Welsh Ministers