

## SCHEDULE 2

### ACTS OF PARLIAMENT

## PART 1

### Public General Acts

#### **Public Health Act 1936 (c. 49)**

1. In section 343(1) of the Public Health Act 1936, in the definition of “land drainage authority”, for the words from “means” to “an” substitute “ means the Environment Agency, the Natural Resources Body for Wales or an ”.

#### **Statistics of Trade Act 1947 (c. 39)**

2.—(1) Section 9A of the Statistics of Trade Act 1947 is amended as follows.

(2) In subsection (1)—

(a) in paragraph (a), after “the Environment Agency” insert “ , the Natural Resources Body for Wales ”;

(b) in paragraph (b), for “either of those Agencies authorised by that Agency” substitute “ any of those bodies authorised by that body ”.

(3) In subsection (2), for “Agency” substitute “ body ”.

#### **Coast Protection Act 1949 (c. 74)**

3. The Coast Protection Act 1949 is amended as follows.

4.—(1) Section 2A is amended as follows.

(2) The existing provision becomes subsection (1).

(3) In subsection (1)—

(a) at the end of paragraph (a), omit “and”;

(b) for paragraph (b) substitute—

“(b) the Environment Agency, in relation to coastal erosion risks in England, and

(c) the Natural Resources Body for Wales, in relation to coastal erosion risks in Wales.”

(4) After subsection (1) insert—

“(2) In this Part, references to the area of a coastal erosion risk management authority are—

(a) in relation to the Environment Agency, references to England, and

(b) in relation to the Natural Resources Body for Wales, references to Wales.”

5.—(1) Section 4 is amended as follows.

(2) In subsection (1)—

(a) for “coast protection authority” substitute “ coastal erosion risk management authority ”;

(b) for “district” substitute “ area ”.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

(3) In subsection (1B), for “district” substitute “ area ”.

(4) Omit subsection (1C).

**6.—**(1) Section 5 is amended as follows.

(2) In subsections (1A), (3) and (5), for “Environment Agency” substitute “ appropriate agency ”.

(3) In subsection (5A)—

(a) after “the Environment Agency” insert “ or the Natural Resources Body for Wales ”;

(b) after “the Agency” insert “ or the Body ”.

(4) In subsection (6)(a), for the words before “(in the case of” substitute “ to the appropriate agency ”.

**7.** In section 8(1), for the words from “carried out, on” to “(in the case of” substitute “ carried out, on the appropriate agency (in the case of ”.

**8.—**(1) Section 16(4) is amended as follows.

(2) For the words from “and to the” to “and to any” substitute “ and to the appropriate agency and to any ”.

(3) For the words from “by the” to “by any” substitute “ by the appropriate agency or by any ”.

**9.—**(1) Section 17 is amended as follows.

(2) In subsection (3), for the words from “that area, to” to “and to any” substitute “ that area, to the appropriate agency and to any ”.

(3) In subsection (9), for the words from “by the” to “or an” substitute “ by the appropriate agency or an ”.

**10.** In section 45(1)(b), for the words from “including the” to “and an” substitute “ including the Environment Agency, the Natural Resources Body for Wales and an ”.

**11.—**(1) Section 47(c) is amended as follows.

(2) In sub-paragraphs (i) and (ii), for the words from “by the” to “or an” substitute “ by the Environment Agency, the Natural Resources Body for Wales or an ”.

(3) In the closing words—

(a) for the words before “or the internal drainage board consents” substitute “ unless the Environment Agency, the Natural Resources Body for Wales ”;

(b) for the words from “on which” to “represented” substitute “ on which the Environment Agency, the Natural Resources Body for Wales or the internal drainage board is represented ”.

**12.—**(1) Section 49(1) is amended as follows.

(2) In the appropriate places insert the following definitions—

““appropriate agency” means—

(a) the Environment Agency in relation to work in England;

(b) the Natural Resources Body for Wales in relation to work in Wales;”;

““England” includes the territorial sea adjacent to England not forming any part of Wales;”;

““Wales” has the meaning given by section 158 of the Government of Wales Act 2006;”.

(3) In the definition of “drainage authority”, for the words from “means” to “or” substitute “ means the Environment Agency, the Natural Resources Body for Wales or ”.

**13.—**(1) In Schedule 1, paragraph 1 is amended as follows.

(2) In sub-paragraph (b), omit the words before “on any”.

(3) After sub-paragraph (b) insert—

“(ba) on the Environment Agency if any part of the area affected by the order is in England, and on the Natural Resources Body for Wales if any part of the area affected by the order is in Wales;”.

**14.—**(1) Schedule 2 is amended as follows.

(2) In paragraph 2, for the words from “notice on” to “catchment board” substitute “ notice on the Environment Agency (if any land to which the draft order relates is in England), the Natural Resources Body for Wales (if any land to which the draft order relates is in Wales), and on any catchment board ”.

(3) In paragraph 12, for the words from “notice on” to “catchment board” substitute “ notice on the Environment Agency (if any land to which the interim order relates is in England), the Natural Resources Body for Wales (if any land to which the interim order relates is in Wales), and on any catchment board ”.

#### **National Parks and Access to the Countryside Act 1949 (c. 97)**

**15.** The National Parks and Access to the Countryside Act 1949 is amended as follows.

**16.** In sections 4A(2) and 15A(1)(c), for “Countryside Council for Wales” substitute “ Natural Resources Body for Wales ”.

**17.** In section 16, for “Council”, in each place where it occurs, substitute “ Natural Resources Body for Wales ”.

**18.** In section 21(4), for “Council” substitute “ Natural Resources Body for Wales ”.

**19.** In section 50A(2), for “Countryside Council for Wales” substitute “ Natural Resources Body for Wales ”.

**20.** In section 65(5A), for “Council” substitute “ Natural Resources Body for Wales ”.

**21.** In sections 85 and 86A, for “Council”, in each place where it occurs (including in the headings to those sections), substitute “ Natural Resources Body for Wales ”.

**22.** In sections 90(4) and 91(1), for “Council” substitute “ Natural Resources Body for Wales ”.

**23.** In section 99(6), for the words from “incurred by” to “or an” substitute “ incurred by the Environment Agency, the Natural Resources Body for Wales or an ”.

**24.—**(1) Section 114(1) is amended as follows.

(2) Omit the definition of “the Council”.

(3) For the definition of “drainage authority”, substitute—

““drainage authority” means—

(a) as respects England, the Environment Agency;

(b) as respects Wales, the Natural Resources Body for Wales;

(c) in either case, an internal drainage board;”.

*Status: Point in time view as at 01/04/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)*

**25.**—(1) In Schedule 1, paragraph 2 is amended as follows.

(2) In sub-paragraph (4), for the words from “represented” to “or a” substitute “ represented by the Environment Agency (as respects England), the Natural Resources Body for Wales (as respects Wales), or a ”.

(3) In sub-paragraph (5), for “Council”, in each place where it occurs, substitute “ Natural Resources Body for Wales ”.

#### **Opencast Coal Act 1958 (c. 69)**

**26.**—(1) In section 7(8) of the Opencast Coal Act 1958, the definition of “statutory water undertakers” is amended as follows.

(2) In sub-paragraph (i) omit “and Wales”.

(3) At the end of sub-paragraph (i) omit “and”.

(4) At the end of sub-paragraph (ii) insert “ and ”.

(5) After sub-paragraph (ii) insert—

“(iii) in Wales, the Natural Resources Body for Wales, a water undertaker or a sewerage undertaker.”

#### **Public Health Act 1961 (c. 64)**

**27.**—(1) Section 54(4) of the Public Health 1961 is amended as follows.

(2) For the words from “by the” to “or any” substitute “ by the Environment Agency, the Natural Resources Body for Wales or any ”.

(3) For the words from “with that” to “that board” substitute “ with that Agency, Body or board (as the case may be) ”.

#### **Pipe-lines Act 1962 (c. 58)**

**28.** In section 66(1) of the Pipe—lines Act 1962, in the definition of “statutory water undertakers”, for the words from “means” to “or” substitute “ means the Environment Agency, the Natural Resources Body for Wales or ”.

#### **Plant Varieties and Seeds Act 1964 (c. 14)**

**29.**—(1) Section 29 of the Plant Varieties and Seeds Act 1964 is amended as follows.

(2) In subsection (2)—

(a) for “Forestry Commissioners” substitute “ appropriate authority ”;

(b) for “those Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”;

(c) for “the Commissioners”, in the first and second places where it occurs, substitute “ the appropriate authority ”.

(3) In subsection (3), for “Forestry Commissioners” substitute “ appropriate authority ”.

(4) After subsection (3) insert—

“(4) In this section “appropriate authority” means—

(a) in relation to Wales, the Welsh Ministers;

(b) in all other respects, the Forestry Commissioners.”

### **Harbours Act 1964 (c. 40)**

**30.** The Harbours Act 1964 is amended as follows.

**31.** In section 58, for the words from “drainage board” to “water” substitute “ drainage board, the Environment Agency, the Natural Resources Body for Wales, a water ”.

**32.** In Part 1 of Schedule 3, in paragraph 18(4), in the definition of “the relevant conservation body”, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

### **Gas Act 1965 (c. 36)**

**33.** The Gas Act 1965 is amended as follows.

**34.** In sections 8(5) and 9(5), for the words from “or by” to “it shall” substitute “ , by the Environment Agency or the Natural Resources Body for Wales, it shall ”.

**35.—(1)** Section 15 is amended as follows.

(2) In subsection (2)(a), for the words from “or the” to “transporter” substitute “ , the Environment Agency or the Natural Resources Body for Wales, the gas transporter ”.

(3) In subsection (3), for the words from “are” to “provide” substitute “ are statutory water undertakers, the Environment Agency or the Natural Resources Body for Wales, the gas transporter shall, if the statutory water undertakers, the Environment Agency or the Natural Resources Body for Wales provide ”.

(4) In subsection (4), for the words from “or the” to “transporter” substitute “ , the Environment Agency or the Natural Resources Body for Wales, the gas transporter ”.

(5) In subsection (10), for the words from “undertakers” to “or any” substitute “ undertakers, the Environment Agency, the Natural Resources Body for Wales or any ”.

**36.—(1)** Section 17(5) is amended as follows.

(2) Before paragraph (a) insert—

“(za) for the Environment Agency, if it appears to them that the Environment Agency will or may have duties to discharge, or will or may have to take precautionary or preventive action in any event within paragraphs (a) and (b) of subsection (1), and

(zb) for the Natural Resources Body for Wales, if it appears to them that the Natural Resources Body for Wales will or may have duties to discharge, or will or may have to take precautionary or preventive action in any such event, and”.

(3) In paragraph (a)—

(a) omit the words before “for every”;

(b) for “event within paragraphs (a) and (b) of subsection (1) of this section” substitute “ such event ”.

**37.—(1)** Schedule 2 is amended as follows.

(2) In paragraphs 4(2) and 7(3), for paragraph (bb) substitute—

“(bb) on the Environment Agency if any part of the storage area or protective area is in England, and on the Natural Resources Body for Wales if any part of either of those areas is in Wales, and”.

(3) In paragraph 12(1), for paragraph (bb) substitute—

“(bb) on the Environment Agency if any part of the additional land is in England, and on the Natural Resources Body for Wales if any part of that land is in Wales, and”.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)

(4) In paragraph 16(2), for paragraph (bb) substitute—

“(bb) on the Environment Agency if any part of the storage area or protective area is in England, and on the Natural Resources Body for Wales if any part of either of those areas is in Wales, and”.

**38.**—(1) Schedule 3 is amended as follows.

(2) In paragraph 4—

- (a) in sub-paragraph (1), for the words from “apply” to “for a” substitute “ apply to the appropriate agency for a ”;
- (b) in sub-paragraph (2), for the words from “made” to “shall” substitute “ made, the appropriate agency shall ”;
- (c) in sub-paragraph (3), for the words from “of the” to “statutory” substitute “ of the appropriate agency, a statutory ”;
- (d) in sub-paragraph (4), for the words before “shall” substitute “ On issuing the certificate, the appropriate agency ”.

(3) In paragraph 5—

- (a) in sub-paragraph (1), for the words before “has issued” substitute “ Where the appropriate agency ”;
- (b) in sub-paragraph (3), for the words from “and to the” to “an” substitute “ and to the appropriate agency an ”;
- (c) in sub-paragraph (4)—
  - (i) for the words from “made” to “for a” substitute “ made to the appropriate agency for a ”;
  - (ii) for the words from “applicant” to “end” substitute “ applicant and the appropriate agency, at the end ”;
  - (iii) for the words from “issued by” to “accordance” substitute “ issued by the appropriate agency in accordance ”;
  - (iv) for the words from “as if” to “had issued” substitute “ as if the appropriate agency had issued ”.

(4) In paragraph 6, for the words from “paragraph 5” to “or as” substitute “ paragraph 5 of this Schedule, the appropriate agency or as ”.

(5) After paragraph 8 insert—

“**8A** In this Schedule, “the appropriate agency” means—

- (a) in relation to England, the Environment Agency;
- (b) in relation to Wales, the Natural Resources Body for Wales.”

**39.**—(1) In Schedule 4, paragraph 5 is amended as follows.

(2) In sub-paragraph (1), for the words from “undertakers” (in the first place where it occurs) to “provide” substitute “ undertakers, the Environment Agency or the Natural Resources Body for Wales, the gas transporter shall, if the statutory water undertakers, the Environment Agency or the Natural Resources Body for Wales provide ”.

(3) In sub-paragraph (2), for the words from “undertakers” to “shall” substitute “ undertakers, the Environment Agency or the Natural Resources Body for Wales, the gas transporter shall ”.

**40.**—(1) In Schedule 6, paragraph 2(4) is amended as follows.

(2) For the words from “occupied by” to “or by” substitute “ occupied by the Environment Agency, the Natural Resources Body for Wales or by ”.

(3) For the words from “imposed” to “or, as” substitute “ imposed by the Environment Agency, by the Natural Resources Body for Wales or, as ”.

#### **Nuclear Installations Act 1965 (c. 57)**

**41.**—(1) In section 26(1) of the Nuclear Installations Act 1965, the definition of “the appropriate Agency” is amended as follows.

(2) In sub-paragraph (a), omit “or Wales”.

(3) After sub-paragraph (b) insert—

“(c) in the case of a site in Wales, the Natural Resources Body for Wales.”

#### **Mines (Working Facilities and Support) Act 1966 (c. 4)**

**42.** In section 7A(4)(b)(i) of the Mines (Working Facilities and Support) Act 1966, for the words before “any” substitute “ the Environment Agency, the Natural Resources Body for Wales or ”.

#### **Plant Health Act 1967 (c. 8)**

**43.** In section 1(2) of the Plant Health Act 1967, for paragraphs (a) and (b) substitute—

“(a) for England and Scotland—

(i) as regards the protection of forest trees and timber from attack by pests (“timber” for this purpose including all forest products), the Forestry Commissioners, and

(ii) otherwise, for England, the Secretary of State and, for Scotland, the Scottish Ministers, and

(b) for Wales, the Welsh Ministers.”

#### **Forestry Act 1967 (c. 10)**

**44.** The Forestry Act 1967 is amended as follows.

**45.**—(1) Section 1 is amended as follows.

(2) After subsection (1) insert—

“(1A) In this Act, “the appropriate forestry authority” means—

(a) in relation to England and Scotland, the Commissioners;

(b) in relation to Wales, the Natural Resources Body for Wales.”

(3) In subsection (2)—

(a) for “Commissioners” substitute “ appropriate forestry authority ”;

(b) for “and in England and Wales” substitute “ in England and in Wales ”.

(4) In subsection (3)—

(a) for “Commissioners” substitute “ appropriate forestry authority's ”;

(b) for “and in England and Wales” substitute “ in England and in Wales ”.

(5) In subsection (3A)—

(a) omit “under the Forestry Acts 1967 to 1979”;

(b) for “Commissioners” substitute “ appropriate forestry authority ”.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

(6) After subsection (3A) insert—

“(3B) In subsection (3A) “functions” means—

- (a) in relation to the Commissioners, functions under the Forestry Acts 1967 to 1979;
- (b) in relation to the Natural Resources Body for Wales, functions under this Act.”

(7) In subsection (4)(a), omit “and Wales”.

(8) Omit subsection (5).

(9) In subsection (6), for “Great Britain” substitute “ England and Scotland ”.

**46.—**(1) Section 3 is amended as follows.

(2) In subsection (1)—

- (a) for “Commissioners”, in each place where it occurs, substitute “ appropriate forestry authority ”;
- (b) for “England and Wales” substitute “ England or Wales ”;
- (c) for “Commissioners” substitute “ appropriate forestry authority's ”.

(3) In subsection (2), for “Commissioners”, in the first place where it occurs, substitute “ appropriate forestry authority ”.

(4) In subsection (3), for “Commissioners” substitute “ appropriate forestry authority ”.

**47.—**(1) Sections 5(1) and (2) and 6 are amended as follows.

(2) For “Commissioners”, in each place where it occurs, substitute “ appropriate forestry authority ”.

(3) For “England and Wales”, in each place where it occurs, substitute “ England or Wales ”.

**48.** In section 7, for “Commissioners”, in each place where it occurs, substitute “ appropriate forestry authority ”.

**49.** In section 7A(1), omit “and Wales”.

**50.** In section 8(1)(c), for “and in England and Wales” substitute “ in England and in Wales ”.

**51.** In section 8A, for “England and Wales” substitute “ England or (as the case may be) Wales ”.

**52.** In the heading to Part 2, omit “Commissioners”.

**53.—**(1) Section 9 is amended as follows.

(2) In subsection (1), for “Commissioners” substitute “ appropriate forestry authority ”.

(3) In subsection (3)(b)—

- (a) in sub-paragraph (i), after “which are felled” insert “ in the relevant territory ”;
- (b) in sub-paragraph (ii), for “Commissioners” substitute “ appropriate forestry authority ”.

(4) In subsection (5), for “Commissioners” substitute “ appropriate legislative authority ”.

(5) In subsection (6), after the definition of “quarter” insert—

““relevant territory” means—

- (a) England and Scotland where the felling is carried out in England or Scotland;
- (b) Wales where the felling is carried out in Wales;”.

**54.—**(1) Section 10 is amended as follows.



(2) For “Commissioners”, in each place where it occurs (including in the heading), substitute “ appropriate forestry authority ”.

(3) In subsection (4)(b), for “England and Wales” substitute “ England or Wales ”.

**55.** In sections 11 to 13, for “Commissioners”, in each place where it occurs, substitute “ appropriate forestry authority ”.

**56.—(1)** Section 14 is amended as follows.

(2) For “Commissioners”, in each place where it occurs, substitute “ appropriate forestry authority ”.

(3) In subsection (2), for “England and Wales” substitute “ England or Wales ”.

**57.—(1)** Section 15 is amended as follows.

(2) For “Commissioners”, in each place where it occurs, substitute “ appropriate forestry authority ”.

(3) In subsection (1A)(a) <sup>M1</sup>, for “England and Wales” substitute “ England or Wales ”.

(4) In subsection (2), for “Commissioners” substitute “ appropriate forestry authority's ”.

(5) In subsection (5A)(a), for “England and Wales” substitute “ England or Wales ”.

#### **Marginal Citations**

**M1** Subsections (1A) and (5A) are inserted by paragraph 2 of Schedule 8 to the [Planning Act 2008 \(c. 29\)](#), which has been brought into force, in relation to England only, by the Planning Act 2008 (Commencement No. 2) (England) Order 2012 ([S.I. 2012/601 \(C. 13\)](#)). In relation to Wales, this Schedule contains a corresponding amendment to paragraph 2 of Schedule 8 to the Planning Act 2008.

**58.—(1)** Sections 16, 17A and 17B are amended as follows.

(2) For “Commissioners”, in each place where it occurs (including in the heading to section 17A), substitute “ appropriate forestry authority ”.

(3) For “England and Wales” substitute “ England or Wales ”.

**59.** In section 18, for “Commissioners”, in each place where it occurs (including in the cross-heading before that section), substitute “ appropriate forestry authority ”.

**60.—(1)** Section 19 is amended as follows.

(2) For “Commissioners”, in each place where it occurs, substitute “ appropriate forestry authority ”.

(3) In subsection (3), for “England and Wales” substitute “ England or Wales ”.

(4) In the heading, for “Commissioners” substitute “ appropriate forestry authority's ”.

**61.—(1)** Sections 20 and 21(2) are amended as follows.

(2) For “England and Wales” substitute “ England or Wales ”.

(3) For “Commissioners”, in each place where it occurs, substitute “ appropriate forestry authority ”.

**62.** In section 22(3), for “Commissioners”, in each place where it occurs, substitute “ appropriate forestry authority ”.

**63.** In section 23(1), for “Commissioners” substitute “ appropriate legislative authority ”.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)

- 64.**—(1) Section 24 is amended as follows.
- (2) For “Commissioners”, in each place where it occurs, substitute “ appropriate forestry authority ”.
- (3) For “England and Wales” substitute “ England or Wales ”.
- 65.** In section 25, for “England and Wales” substitute “ England or Wales ”.
- 66.** In section 26, for “Commissioners”, in each place where it occurs, substitute “ appropriate forestry authority ”.
- 67.**—(1) Section 27 is amended as follows.
- (2) In subsection (1)—
- (a) for “England and Wales” substitute “ England or Wales ”;
- (b) for “Provided that” to the end, substitute “ But this is subject to subsections (1A) and (1B). ”
- (3) After subsection (1) insert—
- “(1A) The members of a committee appointed in relation to a case concerning trees or land in England or Scotland shall not include any Forestry Commissioner or employee of the Commissioners.
- (1B) The members of a committee appointed in relation to a case concerning trees or land in Wales shall not include any member or employee of the Natural Resources Body for Wales.”
- (4) In subsection (3)(c), for “Commissioners” substitute “ appropriate forestry authority ”.
- (5) In subsection (4), omit “and Wales”.
- 68.** In section 28, for “Commissioners”, in each place where it occurs, substitute “ appropriate forestry authority ”.
- 69.** In section 30(5), for “Commissioners” substitute “ appropriate forestry authority ”.
- 70.**—(1) Section 32 is amended as follows.
- (2) In subsection (1), for “The Commissioners may, subject” substitute “ The appropriate legislative authority may, subject (in the case of the Commissioners) ”.
- (3) In subsection (3)—
- (a) after “Act” insert “ by the Commissioners ”;
- (b) omit “and Wales”;
- (c) after “Scotland” insert “ (but not both) ”.
- (4) In subsection (4), omit “and Wales”.
- (5) After subsection (5) insert—
- “(5A) A statutory instrument containing regulations under this Part making provision only as regards Wales—
- (a) in the case of regulations under section 9(5)(b) or (c), must not be made unless a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales;
- (b) in a case not falling within paragraph (a), is subject to annulment in pursuance of a resolution of the National Assembly for Wales.”
- 71.**—(1) Section 35 is amended as follows.

(2) In the definitions of “conservancy” and “felling directions”, for “Commissioners” substitute “appropriate forestry authority”.

(3) In the definition of “prescribed”, for “Commissioners” substitute “appropriate legislative authority”.

**72.**—(1) Section 37 is amended as follows.

(2) For subsection (1) substitute—

“(1) For the purposes of advising the appropriate forestry authority as to the performance of their functions under section 1(3) and Part II of this Act, and such other functions as the appropriate forestry authority may from time to time determine—

(a) the Commissioners shall continue to maintain, in relation to England and Scotland, the central advisory committee known as the Home Grown Timber Advisory Committee; and

(b) the appropriate forestry authority shall continue to maintain a regional advisory committee for each conservancy (within the meaning of Part II of this Act) in Great Britain.”

(3) In subsection (3), for “Commissioners” substitute “appropriate forestry authority”.

(4) For the heading substitute “Advisory committees”.

**73.**—(1) Section 38 is amended as follows.

(2) For subsection (1) substitute—

“(1) The chairman and other members of the Home Grown Timber Advisory Committee shall be appointed by the Commissioners.

(1A) The chairman and other members of each regional advisory committee shall be appointed by the appropriate forestry authority.

(1B) A chairman or member appointed under subsection (1) or (1A) shall hold and vacate office in accordance with the terms of the instrument by which they are appointed.”

(3) In subsection (3), for “Commissioners” substitute “appropriate forestry authority”.

(4) In subsection (4), for “or of a regional advisory committee” substitute “, and the appropriate forestry authority may pay to the members of a regional advisory committee,”.

**74.**—(1) Section 39 is amended as follows.

(2) In subsection (1), for “England and Wales” substitute “England or Wales”.

(3) For “Commissioners”, in each place where it occurs, substitute “appropriate forestry authority”.

**75.**—(1) Section 40(3) is amended as follows.

(2) For “Commissioners”, in each place where it occurs, substitute “appropriate forestry authority”.

(3) In paragraph (a)(i), for “England and Wales” substitute “England or Wales”.

**76.**—(1) Section 46 is amended as follows.

(2) In subsection (1)—

(a) for “Commissioners” substitute “appropriate legislative authority”;

(b) for “their” substitute “the”;

(c) after “control” insert “of the appropriate forestry authority”.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)

- (3) In subsection (2)—
  - (a) in the opening words, for “Commissioners” substitute “ appropriate legislative authority's ”;
  - (b) in paragraph (a), for “Commissioners” substitute “ appropriate forestry authority ”.
- (4) In subsection (4) omit “and Wales”.
- (5) After subsection (4B) insert—

“(4C) A draft of any statutory instrument containing byelaws under this section with respect to land in Wales must be laid before the National Assembly for Wales.”
- (6) In the heading, for “Commissioners” substitute “ Appropriate legislative authority's ”.

**77.**—(1) Section 48 is amended as follows.

- (2) In subsection (1)—
  - (a) for “Commissioners”, in each place where it occurs, substitute “ appropriate enforcement authority ”;
  - (b) for “them” substitute “ the appropriate enforcement authority ”.
- (3) After subsection (1) insert—

“(1A) In subsection (1) “the appropriate enforcement authority” means—
  - (a) in relation to powers and duties of the Commissioners, the Commissioners;
  - (b) in relation to powers and duties of the Welsh Ministers, the Welsh Ministers;
  - (c) in relation to powers and duties of the Natural Resources Body for Wales, the Natural Resources Body for Wales.”
- (4) In subsections (2) and (3), for “Commissioners”, in each place where it occurs, substitute “ appropriate forestry authority ”.

**78.** In section 49(1), in the appropriate place insert—

- ““the appropriate forestry authority” has the meaning given by section 1(1A);  
“the appropriate legislative authority” means—
  - (a) the Commissioners, in relation to England and Scotland;
  - (b) the Welsh Ministers, in relation to Wales;”.

**79.**—(1) In Schedule 6, paragraph 4 is amended as follows.

- (2) In sub-paragraph (2), after “For the purposes of this Act” insert “ but subject to sub-paragraph (3), ”.
- (3) After sub-paragraph (2) insert—

“(3) Any land in Wales which, immediately prior to 1 April 2013, was treated as being placed at the disposal of the Commissioners pursuant to sub-paragraph (2) shall thereafter be treated as being placed at the disposal of the Natural Resources Body for Wales by virtue of section 39(1) of this Act, without prejudice to the power of the Welsh Ministers to make any other disposition with regard to that land.”

### **Parliamentary Commissioner Act 1967 (c. 13)**

**80.**—(1) Schedule 2 to the Parliamentary Commissioner Act 1967 is amended as follows.

- (2) In the list of departments etc subject to investigation, in the appropriate place insert— “ Natural Resources Body for Wales. ”

(3) In the notes following the list of departments etc, in the appropriate place insert—

**“Natural Resources Body for Wales**

In the case of the Natural Resources Body for Wales no investigation is to be conducted in respect of any action in connection with functions of that body in relation to Wales (within the meaning of the Government of Wales Act 2006).”

**Agriculture Act 1967 (c. 22)**

**81.** The Agriculture Act 1967 is amended as follows.

**82.** In section 46(3), for “the Forestry Commission” substitute “ the appropriate forestry authority ”.

**83.** In section 49(3)(c), for “the Forestry Commission”, in each place where it occurs, substitute “ the appropriate forestry authority ”.

**84.** In section 50(3), for paragraph (g) substitute—

“(g) the Environment Agency, the Natural Resources Body for Wales or any water undertaker or sewerage undertaker;”.

**85.** In section 52(2)(a), for “the Forestry Commission” substitute “ the appropriate forestry authority ”.

**86.** In section 57(1), in the appropriate place insert—

““the appropriate forestry authority” means the Forestry Commission in relation to England and Scotland and the Natural Resources Body for Wales in relation to Wales;”.

**Sea Fish (Conservation) Act 1967 (c. 84)**

**87.—(1)** Section 18 of the Sea Fish (Conservation) Act 1967 is amended as follows.

(2) In subsection (1), for the words from “any waters” to “under the Salmon and Freshwater Fisheries Act 1975” substitute “ the waters specified in subsection (1A) ”.

(3) After subsection (1) insert—

“(1A) The waters specified for the purposes of subsection (1) are any waters which are included in the area in relation to which—

(a) by virtue of section 6(7) of the Environment Act 1995, the Environment Agency;  
or

(b) by virtue of section 6(7A) of that Act, the Natural Resources Body for Wales, carries out functions relating to fisheries under the Salmon and Freshwater Fisheries Act 1975.”

**Countryside Act 1968 (c. 41)**

**88.** The Countryside Act 1968 is amended as follows.

**89.** For the cross-heading before section 1 substitute— “ *The Natural Resources Body for Wales* ”.

**90.** Omit section 1.

**91.—(1)** Section 2 is amended as follows.

(2) Omit subsections (1), (4) and (7).

(3) For “Council”, in each place where it occurs, substitute “ NRBW ”.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)

(4) Accordingly, the heading to section 2 becomes “ Countryside Functions of Natural Resources Body for Wales ”.

**92.** In section 4, for “Council”, in each place where it occurs, substitute “ NRBW ”.

**93.**—(1) Section 8 is amended as follows.

(2) In subsection (4), for “and such” substitute “ (if the country park is in England), the NRBW (if the country park is in Wales), and in either case, such ”.

(3) In subsection (5), for “Council” substitute “ NRBW ”.

**94.**—(1) Section 12 is amended as follows.

(2) In subsection (4), for the words from “consent of” to “such” substitute “ consent of the Environment Agency if the works are to take place in England, of the NRBW if the works are to take place in Wales, and in either case of such ”.

(3) In subsection (5), for “Council” substitute “ NRBW ”.

**95.** In sections 13(4), 15 and 15A, for “Council”, in each place where it occurs, substitute “ NRBW ”.

**96.** In section 16(7), for the words from “consent of” to “such” substitute “ consent of the Environment Agency if the land is in England, of the NRBW if the land is in Wales, and in either case of such ”.

**97.** In section 23, omit subsection (5).

**98.**—(1) Section 24 is amended as follows.

(2) In subsection (1)—

(a) for “the said Commissioners” substitute “ the appropriate forestry authority ”;

(b) for “the Commissioners” substitute “ the appropriate forestry authority's ”.

(3) In subsection (2), for “the Commissioners” substitute “ the appropriate forestry authority ”.

(4) After subsection (5) insert—

“(6) In this section, “the appropriate forestry authority” means—

(a) in relation to England, the Forestry Commissioners constituted under the Forestry Acts 1919 to 1945; and

(b) in relation to Wales, the NRBW.”

**99.**—(1) Section 24A(1) is amended as follows.

(2) Omit “and Wales”.

(3) For “the said Commissioners” substitute “ the Forestry Commissioners constituted under the Forestry Acts 1919 to 1945 ”.

**100.** In section 37, for “Council” substitute “ NRBW ”.

**101.**—(1) Section 38 is amended as follows.

(2) For “Council” substitute “ NRBW ”.

(3) For the words from “belongs” to “water undertaker is” substitute “ belongs to the Environment Agency, the NRBW or a water undertaker or which the Agency, the NRBW or a water undertaker is ”.

**102.** In section 41, for “Council”, in each place where it occurs, substitute “ NRBW ”.

**103.** In section 45(1), for “Council” substitute “ NRBW ”.

**104.** Omit section 46(2).

**105.**—(1) Section 49(2) is amended as follows.

(2) Omit the definition of “the Council”.

(3) In the appropriate place insert—

““the NRBW” means the Natural Resources Body for Wales;”.

#### **Conservation of Seals Act 1970 (c. 30)**

**106.** The Conservation of Seals Act 1970 is amended as follows.

**107.**—(1) Section 10 is amended as follows.

(2) For “the Secretary of State”, in each place where it occurs, substitute “ the appropriate licensing authority ”.

(3) In subsection (3)(b)—

(a) for “the appropriate nature conservation body” substitute “ Natural England ”;

(b) after “an area” insert “ in, or in waters adjacent to, England ”.

(4) Omit subsection (5).

(5) After subsection (6) insert—

“(7) In this section “the appropriate licensing authority” means—

(a) the Natural Resources Body for Wales where the area in question is in Wales;

(b) in any other case, the Marine Management Organisation.

(8) In subsection (7)(a), “Wales” has the meaning given by section 158 of the Government of Wales Act 2006.”

**108.** In section 13, after “the Secretary of State” insert “ , the Welsh Ministers and the Natural Resources Body for Wales ”.

#### **Superannuation Act 1972 (c. 11)**

**109.**—(1) In Schedule 1 to the Superannuation Act 1972, the list of “Other Bodies” is amended as follows.

(2) Omit “The Countryside Council for Wales.”

(3) In the appropriate place insert— “ Employment by the Natural Resources Body for Wales. ”

#### **Local Government Act 1974 (c. 7)**

**110.** In the Local Government Act 1974, omit section 9.

#### **Health and Safety at Work etc. Act 1974 (c. 37)**

**111.** The Health and Safety at Work etc. Act 1974 is amended as follows.

**112.**—(1) Section 28 is amended as follows.

(2) In subsection (3)(a), after “the Environment Agency,” insert “ the Natural Resources Body for Wales, ”.

(3) In subsection (4), after “the Environment Agency,” insert “ the Natural Resources Body for Wales, ”.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

(4) In subsection (5)(a), after “the Environment Agency” insert “ or of the Natural Resources Body for Wales ”.

**113.** In section 38, for “or the Environment Agency” substitute “ , the Environment Agency or the Natural Resources Body for Wales ”.

#### **Control of Pollution Act 1974 (c. 40)**

**114.** The Control of Pollution Act 1974 is amended as follows.

**115.** In section 30(1), in the definition of “the appropriate Agency”—

(a) in paragraph (a), omit “and Wales”;

(b) after that paragraph insert—

“(aa) in relation to Wales, the Natural Resources Body for Wales; and”.

**116.** In section 62(2)(a), after “the Environment Agency,” insert “ the Natural Resources Body for Wales, ”.

#### **Reservoirs Act 1975 (c. 23)**

**117.** The Reservoirs Act 1975 is amended as follows <sup>M2</sup>.

##### **Marginal Citations**

**M2** This Schedule also contains amendments to provisions of Schedule 4 to the [Flood and Water Management Act 2010 \(c. 29\)](#), which are not yet fully in force, inserting provisions into the Reservoirs Act 1975.

**118.—(1)** Section 1 is amended as follows.

(2) In subsection (4)(a), for the words from “by” to “may be,” substitute “ by the Environment Agency, the Natural Resources Body for Wales (the “NRBW”) or a water undertaker, the Environment Agency, the NRBW or, as the case may be, the water ”.

(3) In subsection (4A), omit “and Wales”.

(4) After subsection (4B) insert—

“(4C) The “area” of the NRBW, in its capacity as a relevant authority for the purposes of this Act, is the whole of Wales.”

(5) After subsection (5) insert—

“(5A) In this Act, “appropriate agency” means—

(a) in relation to reservoirs in England, the Environment Agency;

(b) in relation to reservoirs in Wales, the NRBW.”

**119.—(1)** Section 2 is amended as follows.

(2) In subsection (1)—

(a) omit “and Wales,”;

(b) after “the Environment Agency” insert “ , in Wales the NRBW ”.

(3) In subsection (2A)—

(a) after “the Environment Agency” insert “ or the NRBW ”;

(b) after “the Agency” insert “ or the NRBW ”.



**120.** In sections 2A to 2D <sup>M3</sup>, for “the Environment Agency” and “the Agency”, in each place where they occur, substitute “ the appropriate agency ”.

**Marginal Citations**

**M3** Sections 2A to 2D are inserted by paragraph 7 of Schedule 4 to the [Flood and Water Management Act 2010 \(c. 29\)](#). That paragraph has been brought into force so far as the amendments that it makes provide power for the Minister to make regulations and orders under the Reservoirs Act 1975: see the [Flood and Water Management Act 2010 \(Commencement No 4 and Transitional Provisions\) Order 2011 \(S.I. 2011/2204\)](#), [article 3\(1\)\(e\)](#). This Schedule also contains amendments to paragraph 7, insofar as it has not been brought into force.

**121.—**(1) Section 12A is amended as follows.

(2) In subsection (2)—

(a) in paragraph (b), after “the Environment Agency” insert “ or the NRBW ”;

(b) in paragraph (c)—

(i) after “the Environment Agency” insert “ or the NRBW ”;

(ii) after “that Agency” insert “ , by the NRBW ”.

(3) In subsection (3)—

(a) in paragraph (b), after “the Environment Agency” insert “ if the reservoir concerned is in England or any of the flooding to which the plan relates would be in England ”;

(b) after paragraph (b) insert—

“(ba) the NRBW if the reservoir concerned is in Wales or any of the flooding to which the plan relates would be in Wales;”.

**122.** In sections 21B(1) and 22(6), for “Environment Agency” substitute “ appropriate agency ”.

**123.—**(1) Section 22A is amended as follows.

(2) After “the Environment Agency” insert “ or the NRBW ”.

(3) Accordingly, the heading to section 22A becomes “ Service of notices by the Environment Agency and the NRBW ”.

**124.** In section 27A(2), for “Environment Agency” substitute “ appropriate agency ”.

**125.** In Schedule 1, in the list of defined expressions, in the appropriate places insert—

“Appropriate agency	Section 1(5A);
“Area (in relation to the NRBW)	Section 1(4C);
“NRBW	Section 1(4)(a)”.

**House of Commons Disqualification Act 1975 (c. 24)**

**126.—**(1) Schedule 1 to the House of Commons Disqualification Act 1975 is amended as follows.

(2) In Part 2, in the list of bodies of which all members are disqualified, in the appropriate place insert— “ The Natural Resources Body for Wales. ”

*Status: Point in time view as at 01/04/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)*

(3) In Part 3, in the list of other disqualifying offices, omit “Any member of the Countryside Council for Wales in receipt of remuneration.”

### **Salmon and Freshwater Fisheries Act 1975 (c. 51)**

**127.** The Salmon and Freshwater Fisheries Act 1975 is amended as follows.

**128.** In sections 1(2) and 2(5), for the words after “in writing of” substitute “ the appropriate agency ”.

**129.** In section 4(3), for the words from “except” to “or” substitute “ except by the appropriate agency or ”.

**130.—**(1) Section 5 is amended as follows.

(2) In subsection (2)(b), for the words from “of” to “may” substitute “ of the appropriate agency, for which that agency may ”.

(3) In subsection (2A), for “Agency” substitute “ appropriate agency ”.

**131.—**(1) Section 9 is amended as follows.

(2) In subsection (1), in the closing words—

(a) for the words from “given by” to “within” substitute “ given by the appropriate agency and within ”;

(b) for “as the Agency may” substitute “ as the appropriate agency may ”.

(3) In subsection (3), for the words before “may cause” substitute “ The appropriate agency ”.

**132.—**(1) Section 10 is amended as follows.

(2) In subsection (1), for the words before “may construct” substitute “ The appropriate agency ”.

(3) In subsection (2), for the words before “may abolish” substitute “ The appropriate agency ”.

(4) In subsection (3)—

(a) for the words from “incurred by” to “repairing” substitute “ incurred by the appropriate agency in repairing ”;

(b) for the words after “recovered” substitute “ by the appropriate agency in a summary manner ”.

(5) Accordingly, in the heading to section 10, for the words before “to construct” substitute “ Power of appropriate agency ”.

**133.** In section 11, for “Agency” and “Agency’s”, in each place where they occur, substitute “ appropriate agency ” and “ appropriate agency’s ” respectively.

**134.** In section 12(2), for the words from “by” to “he” substitute “ by the appropriate agency he ”.

**135.—**(1) Section 13 is amended as follows.

(2) In subsection (1), for the words from “granted” to “sluices” substitute “ granted by the appropriate agency, any sluices ”.

(3) In subsection (3), for the words from “given” to “cleaning” substitute “ given by the appropriate authority, for cleaning ”.

**136.** In section 14(2) and (3), for “Agency” substitute “ appropriate agency ”.

**137.—**(1) Section 15 is amended as follows.

- (2) In subsection (1)—
  - (a) for the opening words, substitute “ The appropriate agency— ”;
  - (b) in paragraph (a)—
    - (i) for “they” substitute “ it ”;
    - (ii) for the words from “expense” to “suitable” substitute “ expense of the appropriate agency, at a suitable ”;
  - (c) in paragraph (b), for the words from “expense” to “so far” substitute “ expense of the appropriate agency so far ”.
- (3) In subsection (3), for the words before “may” substitute “ The appropriate agency ”.
- (4) In subsection (4), in the closing words, for the words from “authorise” to “prejudicially” substitute “ authorise the appropriate agency prejudicially ”.
- (5) Accordingly, in the heading to section 15, for the words before “to use” substitute “ Power of appropriate agency ”.

**138.**—(1) Section 18 is amended as follows.

- (2) In subsection (2), for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.
- (3) In subsection (3)—
  - (a) in paragraph (b), for the words from “done” to “under” substitute “ done by the appropriate agency under ”;
  - (b) in the closing words, for the words from “from” to “compensation” substitute “ from the appropriate agency compensation ”.
- (4) In subsection (5), for the words from “in which” to “liable” substitute “ in which the appropriate agency is liable ”.

**139.**—(1) Section 25 is amended as follows.

- (2) In subsection (1), for “Agency” substitute “ appropriate agency ”.
- (3) In subsection (7), for the words from “between” to “and the licensee” substitute “ between the appropriate agency and the licensee ”.
- (4) In subsection (10), for “Agency” substitute “ appropriate agency ”.

**140.**—(1) Section 26 is amended as follows.

- (2) In subsection (1), in the opening words, for the words from “section” to “may” substitute “ section, the appropriate agency may ”.
- (3) In subsections (1A) and (1B), for “Agency” substitute “ appropriate agency ”.
- (4) In subsection (2), for the words from “shall require” to “publish” substitute “ shall require the appropriate agency to publish ”.
- (5) In subsection (4), for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.
- (6) In subsection (6)—
  - (a) for the words from “consent” to “vary” substitute “ consent of the appropriate agency vary ”;
  - (b) for the words from “require” to “publish” substitute “ require the appropriate agency to publish ”.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

(7) In subsection (7), for the words from “made by” to “and” substitute “ made by the appropriate agency and ”.

**141.** In section 27A, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**142.** In section 30, for the words from “consent” to “or the inland water” substitute “ consent of the appropriate agency or the inland water ”.

**143.—**(1) Section 31(1) is amended as follows.

(2) In the opening words, for the words from “water bailiff” to “and” substitute “ water bailiff appointed by the appropriate agency and ”.

(3) In paragraph (c), in the opening words, for the words from “fishing” to “area” substitute “ fishing in the appropriate agency's area ”.

**144.—**(1) Section 32 is amended as follows.

(2) In subsection (1)—

(a) in the opening words, for “subsection” substitute “ subsections (1A) and ”;

(b) in paragraph (a), for the words after “officer of” substitute “ the appropriate agency, under a special order in writing from that agency, and ”.

(3) After subsection (1) insert—

“(1A) The appropriate agency may make an order under subsection (1)(a) for the purpose of preventing any offence being committed in its area.”

**145.** In section 33(1) and (2), for the words from “officer” to “any person” substitute “ officer of the appropriate agency, or any person ”.

**146.** In section 35, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**147.—**(1) Section 37A is amended as follows.

(2) For “Agency”, in each place where it occurs except in subsection (5), substitute “ appropriate agency ”.

(3) After subsection (5) insert—

“(5A) The amount by which the sums received by the Natural Resources Body for Wales by way of fixed penalties exceed the sums repaid by it under subsection (4)(a) above shall be paid into the Welsh Consolidated Fund.”

**148.** In section 40, for the words from “agreement” to “maintain” substitute “ agreement of the appropriate agency to maintain ”.

**149.—**(1) Section 41 is amended as follows.

(2) In subsection (1)—

(a) in the appropriate places insert the following definitions—

““the appropriate agency” means—

(a) the Agency, except in relation to Wales (within the meaning of the Government of Wales Act 2006); and

(b) the Natural Resources Body for Wales, in relation to Wales (within that meaning);”;

““area”, in relation to the appropriate agency, means the area in relation to which it carries out its functions relating to fisheries by virtue of—

- (a) section 6(7) of the Environment Act 1995, in the case of the Agency;
- (b) section 6(7A) of that Act, in the case of the Natural Resources Body for Wales;”;
- (b) in the definition of “authorised officer”, in paragraph (a), for the words after “officer of” substitute “ the appropriate agency; ”.
- (3) In subsection (3), for the words from “authorising” to “any other” substitute “ authorising the appropriate agency or any other ”.

**150.**—(1) Schedule 2 is amended as follows.

- (2) In paragraph 1—
  - (a) in sub-paragraph (1), for the words after “Schedule by” substitute “ the appropriate agency ”;
  - (b) in sub-paragraph (2), for the words before “may” substitute “ The appropriate agency ”.
- (3) In paragraph 3—
  - (a) for the words before “shall at least” substitute “ The appropriate agency ”;
  - (b) for “their”, in each place where it occurs, substitute “ its ”.
- (4) In paragraph 4, for the words from “person” to “shall” substitute “ person, the appropriate agency shall ”.
- (5) In paragraph 5—
  - (a) for the words from “submitted” to “for” substitute “ submitted by the appropriate agency for ”;
  - (b) for the words from “and” to “directed” substitute “ and the appropriate agency, if so directed ”.
- (6) In paragraph 7, for the words before “may grant” substitute “ The appropriate agency ”.
- (7) In paragraph 8, for the words from “agreed” to “and” substitute “ agreed by the appropriate agency and ”.
- (8) In paragraph 9—
  - (a) in sub-paragraphs (1)(c) and (2)(c), for the words from “consent” to “to” substitute “ consent of the appropriate agency to ”;
  - (b) in sub-paragraph (3)—
    - (i) in the opening words, for the words before “shall” substitute “ The consent of the appropriate agency ”;
    - (ii) in paragraphs (a) and (b), for the words from “appears” to “to be” substitute “ appears to the appropriate agency to be ”.
- (9) In paragraph 10—
  - (a) for the words from “employee” to “authorised” substitute “ employee of the appropriate agency authorised ”;
  - (b) for the words after “notified to” substitute “ the appropriate agency ”.
- (10) In paragraph 11, for the words after “sent to” substitute “ the appropriate agency ”.
- (11) In paragraph 13—
  - (a) for the words from “opinion” to “required” substitute “ opinion of the appropriate agency are required ”;
  - (b) for the words from “notifies” to “at the time” substitute “ notifies the appropriate agency at the time ”.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

(12) In paragraph 14A(1) and (4), for “Agency” substitute “ appropriate agency ”.

(13) In paragraph 15, for the words from “granted” to “every” substitute “ granted by the appropriate agency to every ”.

(14) In paragraph 18, for the words from “issued” to “as to” substitute “ issued by the appropriate agency as to ”.

**151.** In Part 3 of Schedule 3, in the opening words of paragraph 39(1), for the words after “Water Resources Act 1991,” substitute “ the appropriate agency— ”.

**152.**—(1) Part 2 of Schedule 4 is amended as follows.

(2) In paragraph 6(b), for the words after “references to” substitute “ the appropriate agency; and ”.

(3) In paragraph 11—

(a) in sub-paragraph (a), for the words from “order” to “prosecuted” substitute “ order to the appropriate agency, unless that agency prosecuted ”;

(b) in sub-paragraph (b), for the words from “forward” to “who” substitute “ forward it to the appropriate agency, who ”.

(4) In paragraph 12, for the words after “conviction to” substitute “ the appropriate agency ”.

#### **Local Government (Miscellaneous Provisions) Act 1976 (c. 57)**

**153.** In section 44 of the Local Government (Miscellaneous Provisions) Act 1976, after subsection (1B) insert—

“(1C) In relation to the Natural Resources Body for Wales, section 16 of this Act shall have effect—

(a) as if that Body were a local authority; and

(b) as if, in its application by virtue of paragraph (a), any reference to a function were a reference to the Body's relevant transferred functions (within the meaning of article 11 of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903)).”

#### **Rent (Agriculture) Act 1976 (c. 80)**

**154.** In section 30(8) of the Rent (Agriculture) Act 1976, after “the Forestry Commissioners” insert “ in relation to land in England and the Natural Resources Body for Wales in relation to land in Wales ”.

#### **Forestry Act 1979 (c. 21)**

**155.** The Forestry Act 1979 is amended as follows.

**156.**—(1) Section 1(1) is amended as follows.

(2) Omit “and Wales”.

(3) After “lessees of land” insert “ in England and Scotland ”.

**157.**—(1) Section 2 is amended as follows.

(2) In subsection (2), for “The Forestry Commissioners” substitute “ The appropriate authority ”.

(3) In subsection (4), for “the Commissioners” substitute “ the appropriate authority ”.

(4) In subsection (5)—

- (a) in paragraph (a), for “the Commissioners” substitute “ the appropriate authority ”;
  - (b) in paragraph (b), at the end insert “ (in the case of regulations made by the Forestry Commissioners) or of the National Assembly for Wales (in the case of regulations made by the Welsh Ministers) ”.
- (5) After subsection (5) insert—
- “(6) In this section “the appropriate authority” means—
  - (a) in relation to England, the Forestry Commissioners;
  - (b) in relation to Wales, the Welsh Ministers.”

### **Import of Live Fish (England and Wales) Act 1980 (c. 27)**

**158.** In section 1(2) of the Import of Live Fish (England and Wales) Act 1980, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

### **Local Government, Planning and Land Act 1980 (c. 65)**

**159.** In section 185(2)(b) of the Local Government, Planning and Land Act 1980, for the words from “which” to “may” substitute “ which the Environment Agency or the Natural Resources Body for Wales may ”.

### **Highways Act 1980 (c. 66)**

**160.** The Highways Act 1980 is amended as follows.

**161.**—(1) Section 105B(8) is amended as follows.

(2) In paragraph (b)—

- (a) in sub-paragraph (i), after “English Heritage” insert “ , the Environment Agency ”;
- (b) in sub-paragraph (ii), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

(3) In paragraph (c)—

- (a) in sub-paragraph (i), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”;
- (b) in sub-paragraph (ii), at the end insert “ and ”.

(4) Omit paragraph (d) (including the “and” at the end).

**162.** In section 107(4), for the words from “this Act” to “or any” substitute “ this Act by the Environment Agency, the Natural Resources Body for Wales or any ”.

**163.** In section 119D(12) <sup>M4</sup>, in the definition of “the appropriate conservation body”, in paragraph (b), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

#### **Marginal Citations**

**M4** Section 119D is inserted by paragraph 12 of Schedule 6 to the [Countryside and Rights of Way Act 2000 \(c. 37\)](#). Its insertion was brought into force, as respects England only, by article 2 of the Countryside and Rights of Way Act 2000 (Commencement No. 12) Order 2007 ([S.I. 2007/1493 \(C. 61\)](#)). As respects Wales, this Schedule contains a corresponding amendment to paragraph 12 of Schedule 6 to the Countryside and Rights of Way Act 2000.

*Status: Point in time view as at 01/04/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)*

**164.** In section 120(2)(c), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**165.** In section 254(4)(a), for the words after “internal drainage board” substitute “ , the Environment Agency or the Natural Resources Body for Wales without the consent of that body, or ”.

**166.—**(1) Section 276 is amended as follows.

(2) For the words from “maintenance by” to “internal” substitute “ maintenance by the Environment Agency, the Natural Resources Body for Wales or an internal ”.

(3) For the words from “incurred” to “or board” substitute “ incurred by that body ”.

**167.** In section 329(1), in the definitions of “drainage authority” and “water undertakers”, for the words from “means” to “or” substitute “ means the Environment Agency, the Natural Resources Body for Wales or ”.

**168.—**(1) Schedule 1 is amended as follows.

(2) In Part 1, in paragraph 3, in item (ii) of the Table, for the words before “and every” substitute “ The Environment Agency, the Natural Resources Body for Wales ”.

(3) In Part 2, in paragraph 11(b), for the words from “on” to “and” substitute “ on the Environment Agency, the Natural Resources Body for Wales and ”.

#### **Wildlife and Countryside Act 1981 (c. 69)**

**169.** The Wildlife and Countryside Act 1981 is amended as follows.

**170.—**(1) Section 16 is amended as follows.

(2) Before subsection (9) insert—

“(8C) In this section, in the case of a licence under any of subsections (1) to (4), so far as relating to Wales, “the appropriate authority” means the Natural Resources Body for Wales.”

(3) In subsection (9), in the opening words, for “subsection (8A)” substitute “ subsections (8A) and (8C) ”.

(4) In subsection (12), after paragraph (b) insert—

“(c) “Wales” has the meaning given by section 158 of the Government of Wales Act 2006.”

**171.—**(1) Section 27 is amended as follows.

(2) In subsection (1), in the definition of “authorised person”, for paragraph (d) substitute—

“(d) any person authorised in writing by—

(i) the Environment Agency, in relation to anything done in England;

(ii) the Natural Resources Body for Wales, in relation to anything done in Wales; or

(iii) a water undertaker or a sewerage undertaker.”.

(3) In subsection (3A), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**172.** In section 27AA, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales and as if section 28D(2)(d) were omitted ”.

**173.** In section 34A(b), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.



**174.** In section 36(7), in the definition of “relevant authority”, for the words from “local authority” to “water” substitute “ local authority, the Natural Resources Body for Wales, a water ”.

**175.—**(1) Section 37A is amended as follows.

(2) In subsection (1)(b), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

(3) In subsection (2)—

(a) in paragraph (b), at the end insert “ and ”;

(b) omit paragraph (c) (including the “and” at the end).

(4) After subsection (2) insert—

“(2A) Subject to subsection (3), upon receipt of a notification under subsection (1), Natural England shall, in turn, notify the Environment Agency.”

(5) In subsection (3), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**176.** In sections 39(5)(e) and 41A, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**177.** Omit section 47.

**178.** In section 49, for “the Countryside Council for Wales”, in each place where it occurs, substitute “ the Natural Resources Body for Wales ”.

**179.** In sections 50(1)(a), 51(2)(a) and 70B(7)(b), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

#### **Animal Health Act 1981 (c. 22)**

**180.** In section 21(9) of the Animal Health Act 1981, in the definition of “appropriate conservation body”, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

#### **Telecommunications Act 1984 (c. 12)**

**181.** In section 98(9) of the Telecommunications Act 1984, in the definition of “water authority”, in paragraph (a), for the words from “means” to “or” substitute “ means the Environment Agency, the Natural Resources Body for Wales or ”.

#### **Road Traffic Regulation Act 1984 (c. 27)**

**182.** In section 22 of the Road Traffic Regulation Act 1984, in subsections (1)(a)(iv) and (3), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

#### **Inheritance Tax Act 1984 (c. 51)**

**183.** In Schedule 3 to the Inheritance Tax Act 1984, for “Countryside Council for Wales” substitute “ The Natural Resources Body for Wales ”.

#### **Housing Act 1985 (c. 68)**

**184.** In section 573(1) of the Housing Act 1985, after “a Welsh planning board,” insert— “ the Natural Resources Body for Wales, ”.

*Status: Point in time view as at 01/04/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)*

### **Agriculture Act 1986 (c. 49)**

**185.** In section 18(2)(b) of the Agriculture Act 1986, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

### **Farm Land and Rural Development Act 1988 (c. 16)**

**186.** In section 2(7) of the Farm Land and Rural Development Act 1988, after “Forestry Act 1979” insert “ or the power of the Natural Resources Body for Wales to pay grants under article 10B of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903) ”.

### **Local Government Finance Act 1988 (c. 41)**

**187.** In Schedule 5 to the Local Government Finance Act 1988, in paragraph 14(2), for the words from “means” to “or” substitute “ means the Environment Agency, the Natural Resources Body for Wales or ”.

### **Control of Pollution (Amendment) Act 1989 (c. 14)**

**188.** The Control of Pollution (Amendment) Act 1989 is amended as follows.

**189.** In section 5C(2), after paragraph (a) insert—

“(aa) where received by the Natural Resources Body for Wales, must be paid to the Welsh Ministers;”.

**190.** In section 9(1), in the definition of “regulation authority”—

(a) in paragraph (a), omit “and Wales” and the “and” at the end;

(b) after paragraph (a) insert—

“(aa) in relation to Wales, the Natural Resources Body for Wales; and”;

(c) in the closing words, for “and Wales or, as the case may be, in Scotland” substitute “ , Wales or Scotland as the case may be ”.

### **Water Act 1989 (c. 15)**

**191.** The Water Act 1989 is amended as follows.

**192.**—(1) Section 174 is amended as follows.

(2) In subsection (2)(a)—

(a) after “the Scottish Environment Protection Agency,” insert “ the Natural Resources Body for Wales, ”;

(b) for “or the Water Act 2003” substitute “ , the Water Act 2003 or the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903) ”.

(3) In subsection (4)(a), after “the Scottish Environment Protection Agency,” insert “ the Natural Resources Body for Wales ”.

**193.**—(1) In Schedule 25, paragraph 1 is amended as follows.

(2) After sub-paragraph (1)(a) insert—

“(aa) the Natural Resources Body for Wales;”.

(3) In sub-paragraph (3), after “The Environment Agency,” insert “ the Natural Resources Body for Wales, ”.

(4) In sub-paragraph (6), after “the Environment Agency,” insert “ the Natural Resources Body for Wales, ”.

(5) In sub-paragraph (9)(a), after “the Environment Agency” insert “ or the Natural Resources Body for Wales ”.

(6) In sub-paragraph (11), after “the Environment Agency” insert “ or the Natural Resources Body for Wales ”.

### **Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22)**

**194.** In Schedule 5 to the Road Traffic (Driver Licensing and Information Systems) Act 1989, in paragraph 8, in the definition of “relevant undertaker”, in paragraph (e), for the words before “or any” substitute “ the Environment Agency, the Natural Resources Body for Wales ”.

### **Electricity Act 1989 (c. 29)**

**195.** The Electricity Act 1989 is amended as follows.

**196.—**(1) Schedule 4 is amended as follows.

(2) In paragraph 3(1)(c), after “National Rivers Authority,” insert “ the Natural Resources Body for Wales, ”.

(3) In paragraph 4(1)(b), after “the Environment Agency,” insert “ the Natural Resources Body for Wales, ”.

**197.** In Schedule 9, in paragraph 2(2)(b), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

### **Town and Country Planning Act 1990 (c. 8)**

**198.** The Town and Country Planning Act 1990 is amended as follows.

**199.—**(1) Section 200 is amended as follows.

(2) In subsection (1)(a), after “Forestry Commissioners” insert “ or the Natural Resources Body for Wales ”.

(3) In subsection (2)—

(a) in the opening words, after “Forestry Commissioners” insert “ or the Natural Resources Body for Wales ”;

(b) in paragraph (b)—

(i) after “made” insert “ by the Forestry Commissioners ”;

(ii) at the end insert “ or made by the Natural Resources Body for Wales under article 10B of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903) for or in connection with the use or management of land for forestry purposes ”.

(4) Accordingly, in the heading to section 200, after “Forestry Commissioners” insert “ and Natural Resources Body for Wales ”.

**200.—**(1) Section 204 is amended as follows.

(2) For “Forestry Commissioners”, in each place where it occurs, substitute “ Natural Resources Body for Wales ”.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)

(3) In subsection (1)(b), for “section 1 of the Forestry Act 1979” substitute “ article 10B of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903) ”.

**201.** In section 252(12)(i), for the words after “including a reference to” substitute “ the Environment Agency and the Natural Resources Body for Wales, and ”.

**202.** In section 262(3), for the words from “sewerage undertaker” to “any universal” substitute “ sewerage undertaker, the Environment Agency, the Natural Resources Body for Wales, any universal ”.

**203.** In section 265(3), omit “and” at the end of paragraph (a) and after that paragraph insert—  
“(aa) in relation to the Natural Resources Body for Wales, means the Secretary of State or the Secretary of State for Environment, Food and Rural Affairs; and”.

**204.—**(1) In Schedule 5, paragraph 4 is amended as follows.

(2) For “Forestry Commission”, in each place where it occurs, substitute “ appropriate body ”.

(3) In sub-paragraph (4), for “Commission” substitute “ appropriate body ”.

(4) After sub-paragraph (5) insert—

“(6) In this paragraph “appropriate body” means—  
(a) in relation to England, the Forestry Commission; and  
(b) in relation to Wales, the Natural Resources Body for Wales.”

#### **Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)**

**205.** In section 91(3)(b) of the Planning (Listed Buildings and Conservation Areas) Act 1990, for the words after “Electricity Act 1989,” substitute “ the Environment Agency, the Natural Resources Body for Wales and every water or sewerage undertaker. ”

#### **Planning (Hazardous Substances) Act 1990 (c. 10)**

**206.** In section 39(5) of the Planning (Hazardous Substances) Act 1990, for the words from “38(2)” to “every” substitute “ 38(2) the Environment Agency, the Natural Resources Body for Wales and every ”.

#### **Environmental Protection Act 1990 (c. 43)**

**207.** The 1990 Act is amended as follows.

**208.—**(1) Section 30(1) is amended as follows.

(2) In paragraph (a), omit “and Wales” and the “and” at the end.

(3) After paragraph (a) insert—

“(aa) in relation to Wales, is a reference to the Natural Resources Body for Wales; and”.

(4) In the closing words, after “Environment Agency” insert “ , the Natural Resources Body for Wales ”.

**209.** In section 33A(5), after “Environment Agency” insert “ , the Natural Resources Body for Wales ”.

**210.—**(1) Section 33B is amended as follows.

(2) In subsection (3), after paragraph (a) insert—

“(aa) the Natural Resources Body for Wales;”.

(3) In subsection (4)—

(a) after “Environment Agency” insert “, the Natural Resources Body for Wales ”;

(b) after “Agency” insert “, Body ”.

**211.** In section 33C(10), in the definition of “relevant enforcement authority” omit “or” at the end of paragraph (a) and after that paragraph insert—

“(aa) the Natural Resources Body for Wales, where the proceedings in respect of the offence have been brought by or on behalf of that Body, or”.

**212.** In section 34A(14), in the definition of “enforcement authority” after “Environment Agency” insert “, the Natural Resources Body for Wales ”.

**213.** In section 34B(11), in the definition of “enforcement authority”, omit “or” at the end of paragraph (a) and after that paragraph insert—

“(aa) the Natural Resources Body for Wales, or”.

**214.** In section 36(7), for “Countryside Council for Wales” substitute “ Natural Resources Body for Wales ”.

**215.** In section 73A, after subsection (1) insert—

“(1A) The Natural Resources Body for Wales must pay amounts received by it under section 34A above to the Welsh Ministers.”

**216.** In section 78A(9), in the definition of “the appropriate Agency”—

(a) in paragraph (a), omit “and Wales”;

(b) after paragraph (b) insert—

“(c) in relation to Wales, the Natural Resources Body for Wales;”.

**217.—**(1) Section 78L(1) is amended as follows.

(2) In paragraph (a), for “, or served by the Environment Agency in relation to land in England” substitute “ or by the Environment Agency ”.

(3) In paragraph (b), for “, or served by the Environment Agency in relation to land in Wales” substitute “ or by the Natural Resources Body for Wales ”.

**218.** In section 78U(1), for “in England and Wales or in Scotland” substitute “ in England, Wales or Scotland ”.

### **Coal Mining Subsidence Act 1991 (c. 45)**

**219.** The Coal Mining Subsidence Act 1991 is amended as follows.

**220.** In section 36(8), in the definition of “the appropriate drainage authority”, in paragraph (a), for the words after “internal drainage district” substitute “—

(i) in relation to measures to be carried out wholly in England, the Environment Agency;

(ii) in relation to measures to be carried out wholly in Wales, the Natural Resources Body for Wales;

(iii) in relation to measures to be carried out partly in England and partly in Wales, either of those bodies;”.

**221.** In section 52(1), in the definition of “statutory undertakers”, in paragraph (b), for the words from “undertaker” to “electronic” substitute “ undertaker, the Environment Agency, the Natural Resources Body for Wales, any electronic ”.

*Status: Point in time view as at 01/04/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)*

#### **Deer Act 1991 (c. 54)**

**222.** In section 8(2) of the Deer Act 1991, for “the Countryside Council for Wales” substitute “the Natural Resources Body for Wales”.

#### **Water Industry Act 1991 (c. 56)**

**223.** The Water Industry Act 1991 is amended as follows.

**224.**—(1) Section 3(4) is amended as follows.

(2) At the end of paragraph (a), omit “or”.

(3) After paragraph (a) insert—

“(aa) the functions of the NRBW; or”.

(4) After “Environment Agency”, in the second place where it occurs, insert “, the NRBW,”.

**225.**—(1) Section 4 is amended as follows.

(2) For “the Countryside Council for Wales”, in each place where it occurs, substitute “the NRBW”.

(3) In subsection (1), in the closing words, for “the Council” substitute “the NRBW”.

**226.**—(1) Section 5(4) is amended as follows.

(2) In paragraph (a), after “Agency” insert “and the NRBW”.

(3) In paragraph (b), omit “and the Countryside Council for Wales”.

**227.** In section 17F(7), after paragraph (d) insert—

“(da) on the NRBW;”.

**228.**—(1) Section 17G(4)(a) is amended as follows.

(2) At the end of sub-paragraph (iv) omit “and”.

(3) After sub-paragraph (iv) insert—

“(v) the NRBW; and”.

**229.**—(1) Section 37A is amended as follows.

(2) In subsection (8)—

(a) in paragraph (a), after “Agency” insert “, if the plan (or revised plan) would affect water resources in England;”;

(b) after paragraph (a) insert—

“(aa) the NRBW, if the plan (or revised plan) would affect water resources in Wales;”.

(3) For subsection (9) substitute—

“(9) Before giving a direction under subsection (6)(b), the Secretary of State shall consult—

(a) the Environment Agency, if the revised plan would affect water resources in England, and

(b) the NRBW, if the revised plan would affect water resources in Wales.

(9A) Before giving a direction under subsection (6)(b), the Welsh Ministers shall consult—

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

- (a) the NRBW, if the revised plan would affect water resources in Wales, and
- (b) the Environment Agency, if the revised plan would affect water resources in England.”

**230.**—(1) Section 39B is amended as follows.

(2) In subsection (7)—

- (a) in paragraph (a), after “Agency” insert “, if the plan (or revised plan) would affect water resources in England;”;

(b) after paragraph (a) insert—

“(aa) the NRBW, if the plan (or revised plan) would affect water resources in Wales;”.

(3) For subsection (11) substitute—

“(11) Before giving a direction under subsection (6)(b), the Secretary of State shall consult—

- (a) the Environment Agency, if the revised plan would affect water resources in England, and
- (b) the NRBW, if the revised plan would affect water resources in Wales.

(11A) Before giving a direction under subsection (6)(b), the Welsh Ministers shall consult—

- (a) the NRBW, if the revised plan would affect water resources in Wales, and
- (b) the Environment Agency, if the revised plan would affect water resources in England.”

**231.** In section 40, for subsection (5) substitute—

“(5) The Authority shall not make an order under this section unless it has first consulted—

- (a) the Environment Agency, if the order applies to a supply of water that would affect water resources in England;
- (b) the NRBW, if the order applies to a supply of water that would affect water resources in Wales.”

**232.** In section 40A, for subsection (3) substitute—

“(3) Before making any order under this section the Authority shall consult—

- (a) the Environment Agency, if the order applies to a bulk supply agreement that would affect water resources in England;
- (b) the NRBW, if the order applies to a bulk supply agreement that would affect water resources in Wales.”

**233.**—(1) Section 66F is amended as follows.

(2) In subsection (2), for the words from “the Secretary” to “Agency” substitute “ the persons specified in subsection (2A) ”.

(3) After subsection (2) insert—

“(2A) The persons specified for the purposes of subsection (2) are—

- (a) the Secretary of State (subject to subsections (3) and (4) below);
- (b) the Environment Agency, if the determination is in relation to a supply of water that would affect water resources in England;

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

- (c) the NRBW, if the determination is in relation to a supply of water that would affect water resources in Wales.”

**234.**—(1) Section 66G(4) is amended as follows.

(2) In paragraph (c), after “the Environment Agency” insert “ , if the request or proposed determination relates to an introduction of water to the supply system of a water undertaker for the purpose of supplying water to premises in England ”.

(3) After paragraph (c) insert—

“(ca) the NRBW, if the request or proposed determination relates to an introduction of water to the supply system of a water undertaker for the purpose of supplying water to premises in Wales;”.

**235.**—(1) Section 66H(4) is amended as follows.

(2) In paragraph (c), after “the Environment Agency” insert “ , if the request or proposed determination relates to an introduction of water to the supply system of a water undertaker for the purpose of supplying water to premises in England ”.

(3) After paragraph (c) insert—

“(ca) the NRBW, if the request or proposed determination relates to an introduction of water to the supply system of a water undertaker for the purpose of supplying water to premises in Wales;”.

**236.**—(1) Section 71 is amended as follows.

(2) For “Environment Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(3) In subsection (6), for “the Agency” substitute “ the appropriate agency ”.

(4) After subsection (8) insert—

“(9) In this section “the appropriate agency” means—

- (a) the Environment Agency, in relation to a well, borehole or other work in England;  
(b) the NRBW, in relation to a well, borehole or other work in Wales.”

**237.**—(1) Section 101A is amended as follows.

(2) In subsection (5)—

(a) in paragraph (a), after “the Environment Agency” insert “ , if the guidance applies to premises in England ”;

(b) after paragraph (a) insert—

“(aa) the NRBW, if the guidance applies to premises in Wales;”.

(3) In subsections (7) to (10), for “Environment Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(4) After subsection (10) insert—

“(11) In this section “the appropriate agency” means—

- (a) the Environment Agency, in relation to disputes between sewerage undertakers and owners or occupiers of premises in England;  
(b) the NRBW, in relation to disputes between sewerage undertakers and owners or occupiers of premises in Wales.”

**238.** In section 110A, for subsection (6) substitute—



“(6) The Authority shall not make an order under this section unless it has first consulted—

- (a) the Environment Agency, where the proposed main connection would discharge to a sewerage system that would dispose of that discharge to any controlled waters in England;
- (b) the NRBW, where the proposed main connection would discharge to a sewerage system that would dispose of that discharge to any controlled waters in Wales.”

**239.** In section 120, for “the Environment Agency” and “the Agency”, in each place where they occur, substitute “ the appropriate agency ”.

**240.**—(1) Section 123 is amended as follows.

- (2) For “Environment Agency”, in each place where it occurs, substitute “ appropriate agency ”.
- (3) In subsection (3)(b), for “Environment Agency's”, substitute “ appropriate agency's ”.

**241.**—(1) Section 127 is amended as follows.

- (2) For “Environment Agency”, in each place where it occurs (including in the heading to that section), substitute “ appropriate agency ”.
- (3) In subsection (2)(b), for “Environment Agency's” substitute “ appropriate agency's ”.

**242.**—(1) Section 130 is amended as follows.

- (2) For “Environment Agency”, in each place where it occurs (including in the heading to that section), substitute “ appropriate agency ”.
- (3) For “the Agency”, in each place where it occurs, substitute “ the appropriate agency ”.

**243.**—(1) Section 131 is amended as follows.

- (2) For “Environment Agency” in each place where it occurs (including in the heading to that section), substitute “ appropriate agency ”.
- (3) In subsection (2)(b), for “Environment Agency's” substitute “ appropriate agency's ”.

**244.**—(1) Section 132 is amended as follows.

- (2) In subsection (1), for “Environment Agency”, in each place where it occurs, substitute “ appropriate agency ”.
- (3) In subsection (2)—
  - (a) in the opening words, for “Environment Agency” substitute “ appropriate agency ”;
  - (b) in paragraph (a)—
    - (i) in the opening words, for “Environment Agency” substitute “ appropriate agency ”;
    - (ii) before sub-paragraph (i) insert—
      - “(ai) where the Environment Agency is the appropriate agency, to the NRBW if the discharge or proposed discharge of special category effluent is from trade premises in England;
      - (bi) where the NRBW is the appropriate agency, to the Environment Agency if the discharge or proposed discharge of special category effluent is from trade premises in Wales;”;
  - (c) in paragraph (b), for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.
- (4) In subsection (3)—

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

- (a) for “Environment Agency” substitute “ appropriate agency ”;
- (b) for “the sewerage undertaker in question and on the person specified in subsection (2)(a)(ii)” substitute “ any person consulted under subsection (2)(a) ”.
- (5) In subsection (4)(c), for “Environment Agency” substitute “ appropriate agency ”.
- (6) In subsection (6), for “the Environment Agency” and “the Agency” substitute “ the appropriate agency ”.
- (7) In subsection (8), for “Environment Agency” substitute “ appropriate agency ”.

**245.** In section 133(6)—

- (a) for “Environment Agency” substitute “ appropriate agency ”;
- (b) for “the sewerage undertaker in question and on the person specified in section 132(2)(a)(ii)” substitute “ any person consulted under section 132(2)(a) ”.

**246.**—(1) Section 134 is amended as follows.

- (2) In subsection (1), for “Environment Agency” and “Environment Agency's”, substitute “ appropriate agency ” and “ appropriate agency's ” respectively.
- (3) In subsection (2)—
  - (a) for “Environment Agency”, in each place where it occurs, substitute “ appropriate agency ”;
  - (b) in paragraph (b), for “the Agency” substitute “ the appropriate agency ”.

**247.**—(1) Section 135A is amended as follows.

- (2) In subsection (1)—
  - (a) for “Environment Agency” substitute “ appropriate agency ”;
  - (b) for “that Agency” substitute “ that appropriate agency ”.
- (3) Accordingly, in the heading to section 135A, for “Environment Agency” substitute “ appropriate agency ”.

**248.** In section 141(1), in the appropriate place insert—

““appropriate agency” means—

- (a) in relation to the discharge or proposed discharge of special category effluent to a public sewer that directly or indirectly discharges or is to discharge (other than via a storm-water overflow sewer) that effluent to any controlled waters in England, the Environment Agency;
- (b) in relation to the discharge or proposed discharge of special category effluent to a public sewer that directly or indirectly discharges or is to discharge (other than via a storm-water overflow sewer) that effluent to any controlled waters in Wales, the NRBW;”.

**249.** In section 156(4), for “the Countryside Council for Wales”, in each place where it occurs, substitute “ the NRBW ”.

**250.**—(1) Section 161 is amended as follows.

- (2) In subsection (3)(b), after “the Environment Agency”, in each place where it occurs, insert “ or the NRBW ”.

(3) In subsection (4), after “the Environment Agency” insert “ , where the proposed works will affect any watercourse in England, and the NRBW, where the proposed works will affect any watercourse in Wales, ”.

**251.**—(1) Section 166 is amended as follows.

(2) In subsection (1), for “the Environment Agency” substitute “ the appropriate agency ”.

(3) After subsection (9) insert—

“(10) In this section “the appropriate agency” means—

- (a) the Environment Agency, in relation to discharges of water in England;
- (b) the NRBW, in relation to discharges of water in Wales.”

**252.** In section 184(1), after “Environment Agency”, in each place where it occurs, insert “ or the NRBW ”.

**253.** In section 195(2)(bb), for “or the Environment Agency” substitute “ , the Environment Agency or the NRBW ”.

**254.** In section 202(6), after “the Environment Agency” insert “ or on the Welsh Ministers with respect to the NRBW ”.

**255.**—(1) Section 206 is amended as follows.

(2) In subsection (3)(a)—

- (a) after “the Environment Agency,” insert “ the NRBW, ”;
- (b) for “or the Water Act 2003” substitute “ the Water Act 2003 or the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903) ”.

(3) In subsection (4)(a), after “the Environment Agency,” insert “ the NRBW, ”.

**256.** In section 209(3)(a), after “the Environment Agency,” insert “ the NRBW, ”.

**257.** In section 215(3)—

- (a) after “the Environment Agency”, in the first place where it occurs, insert “ or the NRBW ”;
- (b) after “the Environment Agency”, in the second place where it occurs, insert “ or, as the case may be, the NRBW ”.

**258.**—(1) Section 217 is amended as follows.

(2) In subsection (2), after “the Environment Agency”, in the first and second places where it occurs, insert “ or the NRBW ”.

(3) In subsection (3), after “the Environment Agency”, in each place where it occurs, insert “ or the NRBW ”.

(4) In subsection (4), after “the Environment Agency,” insert “ on the NRBW, ”.

(5) In subsection (7), after “the Environment Agency” insert “ or the NRBW ”.

**259.**—(1) Section 219(1) is amended as follows.

(2) In the definition of “public authority”, after “Environment Agency,” insert “ the NRBW, ”.

(3) In the definition of “watercourse”, after “Environment Agency” insert “ , the NRBW ”.

(4) In the appropriate place insert—

““the NRBW” means the Natural Resources Body for Wales;”.

**260.**—(1) Section 221 is amended as follows.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)

(2) In subsection (2), for “Environment Agency” substitute “ appropriate agency ”.

(3) In subsection (7), in the appropriate place insert—

““the appropriate agency” means—

(a) in relation to any act or omission of the Crown in England, the Agency;

(b) in relation to any act or omission of the Crown in Wales, the NRBW;”.

**261.** In Schedule 1A, after paragraph 9(3)(c) insert—

“(ca) the NRBW;”.

**262.**—(1) In Schedule 11, paragraph 1(3) is amended as follows.

(2) In paragraph (a), after “Environment Agency” insert “ , if the whole or any part of a relevant locality is in England ”.

(3) After paragraph (a) insert—

“(aa) the NRBW, if the whole or any part of a relevant locality is in Wales;”.

**263.**—(1) In Schedule 13, paragraph 1 is amended as follows.

(2) In sub-paragraph (2), after “the Environment Agency”, in each place where it occurs, insert “ or the NRBW ”.

(3) In sub-paragraph (5)(a), after “the Environment Agency,” insert “ the NRBW, ”.

#### **Water Resources Act 1991 (c. 57)**

**264.** The Water Resources Act 1991 is amended as follows.

**265.**—(1) Section 15 is amended as follows.

(2) In subsection (1)—

(a) after “Agency”, in the first place where it occurs, insert “ and the NRBW ”;

(b) for “its” substitute “ their ”;

(c) after “Agency”, in the second place where it occurs, insert “ or the NRBW, as the case may be, ”.

(3) In subsection (2)—

(a) in paragraph (a), for “or the Water Act 1989” substitute “ , the Water Act 1989 or the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903) ”;

(b) after “Agency”, in the first and second places where it occurs, insert “ or the NRBW ”;

(c) after “Agency”, in the final place where it occurs, insert “ and the NRBW ”.

**266.**—(1) Sections 20 and 20A are amended as follows.

(2) For “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(3) In subsection (1) of each of those sections, in the closing words, after “section 6(2)” insert “ or, as the case may be, section 6(2A) ”.

**267.** In section 20B, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**268.**—(1) Section 20C is amended as follows.

(2) For “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(3) In subsection (1), after “section 6(2)” insert “ or, as the case may be, section 6(2A) ”.

**269.**—(1) Section 21 is amended as follows.

(2) For “Agency”, in each place where it occurs (except in subsection (3)(za)), substitute “ appropriate agency ”.

(3) In subsection (3)—

(a) before paragraph (a) insert—

“(za) if those waters are in Wales and there are related inland waters in England, the Agency;

(zb) if those waters are in England and there are related inland waters in Wales, the NRBW;”;

(b) in paragraph (e) omit “wholly or partly”.

**270.** In the following provisions, for “Agency” and “Agency's”, in each place where they occur, substitute “ appropriate agency ” and “appropriate agency's” respectively—

(a) sections 22 to 24 (including the heading to section 22);

(b) section 25(1A)(a);

(c) section 25A;

(d) section 25C;

(e) section 27A;

(f) section 32(3);

(g) sections 33A to 45;

(h) section 46A(2);

(i) sections 51 to 57 (including the heading to section 52);

(j) sections 59A to 59C;

(k) sections 60 to 64 (including the headings to sections 60, 63 and 64);

(l) section 66(3);

(m) section 69(2);

(n) sections 73 to 75;

(o) sections 77 to 79.

**271.**—(1) Section 79A is amended as follows.

(2) For “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(3) Omit subsection (7)(c).

**272.** In section 83 for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**273.**—(1) Section 84 is amended as follows.

(2) In subsection (1), for “Agency” substitute “ appropriate agency ”.

(3) In subsection (2)—

(a) in the opening words, for “Agency” substitute “ appropriate agency ”;

(b) at the end of paragraph (a) omit “and”;

(c) after paragraph (a) insert—

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

“(aa) in the case of the NRBW, to consult, in such cases as it may consider appropriate, with the Agency; and”;

(d) in paragraph (b)—

(i) at the beginning insert “ in the case of the Agency, ”;

(ii) at the end insert “ or with the NRBW ”.

**274.** In the following provisions, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”

(a) sections 91B to 97 (including the heading to section 91B);

(b) sections 105 to 111 (including the heading to section 108);

(c) section 113(4);

(d) sections 115 and 116;

(e) the heading to Part 6.

**275.**—(1) Section 118 is amended as follows.

(2) In subsection (1)—

(a) in the opening words, for “Agency” substitute “ appropriate agency ”;

(b) in paragraph (a), for “Agency's” substitute “ appropriate agency's ”;

(c) at the end of paragraph (a) omit “and”;

(d) in paragraph (b)—

(i) before “shall be disregarded” insert “ where the appropriate agency is the Agency, ”;

(ii) at the end, for “.” substitute “ ; and ”;

(e) after paragraph (b) insert—

“(c) where the appropriate agency is the NRBW, shall be disregarded in determining the amount of any surplus for the purposes of article 13 of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903).”

(3) In subsections (2), (3) and (5), for “Agency” and “Agency's”, in each place where they occur, substitute “ appropriate agency ” and “ appropriate agency's ” respectively.

**276.** In sections 120 to 143, for “Agency” and “Agency's”, in each place where they occur (including in the headings to sections 120 and 143), substitute “ appropriate agency ” and “ appropriate agency's ” respectively.

**277.** In the heading to Chapter 1 of Part 7, for “Agency” substitute “ appropriate agency ”.

**278.**—(1) Section 154 is amended as follows.

(2) In subsection (1)—

(a) after “Agency”, in each place where it occurs, insert “ or the NRBW ”;

(b) for “either of the Ministers” substitute “ the relevant Minister ”.

(3) In subsection (2)—

(a) in the opening words, for “each of the Ministers” substitute “ the relevant Minister ”;

(b) in paragraph (b)—

(i) after “Agency”, in the first place where it occurs, insert “ or, as the case may be, by the NRBW, ”;

(ii) after “Agency”, in the second place where it occurs, insert “ or the NRBW ”.

- (4) In subsections (3) and (4), after “Agency” insert “ or the NRBW ”.
- (5) In subsection (6)—
  - (a) after “(incidental general powers of the Agency)” insert “ or article 9 of the Natural Resources Body for Wales (Establishment) Order 2012 (general incidental function of the Body) (S.I. 2012/1903) ”;
  - (b) after “on the Agency” insert “ or the NRBW ”;
  - (c) in paragraph (a), after “Agency” insert “ or, as the case may be, the NRBW ”.
- (6) After subsection (6) insert—
  - “(7) In this section, in relation to the NRBW, references to functions have effect as references to relevant transferred functions.
  - (8) In subsections (1) and (2), “the relevant Minister” means—
    - (a) in relation to land in England, the Secretary of State; and
    - (b) in relation to land in Wales, the Welsh Ministers.”

**279.**—(1) Section 155 is amended as follows.

- (2) In subsection (1)—
  - (a) after “the Agency”, in the first and second places where it occurs, insert “ or the NRBW ”;
  - (b) after “the Agency”, in the third place where it occurs, insert “ and the NRBW ”;
  - (c) after “for the purpose of carrying out its functions” insert “ or, as the case may be, its relevant transferred functions ”.
- (3) In subsections (3) and (4), after “the Agency” insert “ or, as the case may be, the NRBW ”.
- (4) In subsection (5)—
  - (a) after “the Agency”, in the first and second places where it occurs, insert “ or, as the case may be, the NRBW ”;
  - (b) in paragraph (b), after “the Agency”, in each place where it occurs, insert “ or the NRBW ”.
- (5) In subsection (6), after “the Agency” insert “ or, as the case may be, the NRBW ”.

**280.**—(1) Section 156 is amended as follows.

- (2) In subsection (1)—
  - (a) after “(incidental general powers of the Agency)” insert “ or article 9 of the Natural Resources Body for Wales (Establishment) Order 2012 (general incidental function of the Body) (S.I. 2012/1903) ”;
  - (b) after “the Agency”, in the second place where it occurs, insert “ or, as the case may be, the NRBW, ”;
  - (c) for “that section” substitute “ those provisions ”.
- (3) In subsection (2)—
  - (a) after “(incidental general powers of the Agency)” insert “ or article 9 of the Natural Resources Body for Wales (Establishment) Order 2012 (general incidental function of the Body) (S.I. 2012/1903) ”;
  - (b) after “the Agency”, in the second place where it occurs, insert “ or, as the case may be, the NRBW, ”.

**281.**—(1) Section 157 is amended as follows.

- (2) In subsection (1), after “the Agency” insert “ and the NRBW ”.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

(3) In subsection (2), after “the Agency” insert “ or, as the case may be, the NRBW ”.

(4) After subsection (6) insert—

“(7) In this section “compulsorily acquired land”, in relation to the NRBW, means any land of the NRBW which—

- (a) was acquired by the NRBW compulsorily under the provisions of section 154 above or of an order under section 168 below;
- (b) was acquired by the NRBW at a time when it was authorised under those provisions to acquire the land compulsorily; or
- (c) being land which has been transferred to the NRBW from the Agency in accordance with a scheme made under section 23 of the Public Bodies Act 2011, was compulsorily acquired land of the Agency within the meaning of subsection (6).”

**282.**—(1) Section 158 is amended as follows.

(2) In subsection (1)—

- (a) after “section 37 of the 1995 Act (incidental powers of the Agency)” insert “ , or (as the case may be) of the NRBW by virtue of article 9 of the Natural Resources Body for Wales (Establishment) Order 2012 (general incidental function of the Body) (S.I. 2012/1903), ”;
- (b) in paragraph (a), for “Agency” and “Agency's” substitute “ appropriate agency ” and “ appropriate agency's ” respectively;
- (c) in paragraph (c), for “Agency” substitute “ appropriate agency ”.

(3) In subsection (2), for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(4) In subsection (3), for “Agency” substitute “ appropriate agency ”.

**283.** In sections 159 to 161B and 161D to 164, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**284.**—(1) Section 165 is amended as follows.

(2) In subsections (1), (1A), (2) and (3), for “Agency” substitute “ appropriate agency ”.

(3) In subsection (4)—

- (a) after “Agency”, in each place where it occurs, insert “ or the NRBW ”;
- (b) after “(grants to the new Agencies)” insert “ or article 12 of the Natural Resources Body for Wales (Establishment) Order 2012 (grants to the NRBW) (S.I. 2012/1903) ”.

(4) In subsection (5), after “Agency”, in each place where it occurs, insert “ or the NRBW ”.

**285.**—(1) Section 166 is amended as follows.

(2) In subsection (1)—

- (a) after “section 37 of the 1995 Act (incidental powers of the Agency),” insert “ or (as the case may be) article 9 of the Natural Resources Body for Wales (Establishment) Order 2012 (general incidental function of the Body) (S.I. 2012/1903), ”;
- (b) for “Agency”, in the second place where it occurs, substitute “ appropriate agency ”.

(3) In subsection (2), for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(4) In subsection (4), in the definition of “flood warning system”, in paragraph (c), for “Agency” substitute “ appropriate agency ”.



**286.**—(1) Section 167 is amended as follows.

(2) In subsection (1), for “Agency” substitute “ appropriate agency ”.

(3) In subsection (3), for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**287.** After section 167 insert—

“**167A** Consultation in relation to works affecting flood and coastal erosion risks

(1) Before exercising a function to which this section applies in a manner which may affect a flood or coastal erosion risk (within the meaning of the Flood and Water Management Act 2010) in Wales, the Agency must consult the NRBW.

(2) Before exercising a function to which this section applies in a manner which may affect a flood or coastal erosion risk (within that meaning) in England, the NRBW must consult the Agency.

(3) This section applies to any function under—

- (a) section 109;
- (b) the flood risk management work provisions;
- (c) byelaws made under paragraph 5 of Schedule 25.”

**288.**—(1) Section 168 is amended as follows.

(2) For “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(3) After subsection (8) insert—

“(9) In this section, in relation to the NRBW, references to functions have effect as references to relevant transferred functions.”

**289.**—(1) Section 169 is amended as follows.

(2) In subsection (1)—

- (a) for “or by the Agency”, substitute “ , by the Agency, or by the NRBW, ”;
- (b) in paragraph (a), after “Agency” insert “ or of any relevant byelaws made by the NRBW ”;
- (c) in paragraph (b), for “or the Agency” substitute “ , the Agency, or the NRBW ”.

(3) In subsection (3), after “functions” insert “ or the NRBW carries out relevant transferred functions ”.

(4) After subsection (3) insert—

“(3A) The Agency may designate a person under subsection (1) in relation to—

- (a) any provision made by or under this Act, so far as it applies otherwise than in relation to Wales;
- (b) any provision made by or under any other enactment, if the Agency carries out functions under or for the purposes of that provision;
- (c) any byelaws made by the Agency.

(3B) The NRBW may designate a person under subsection (1) in relation to—

- (a) any provision made by or under this Act, so far as it applies in relation to Wales;
- (b) any provision made by or under any other enactment, if the NRBW carries out relevant transferred functions under or for the purposes of that provision;
- (c) any relevant byelaws.”

(5) In subsection (4), after “Agency's” insert “ or the NRBW's ”.

*Status: Point in time view as at 01/04/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)*

(6) After subsection (4) insert—

“(5) In this section, “relevant byelaws” means byelaws made (or treated as if made) by the NRBW in the exercise of any relevant transferred functions.”

**290.**—(1) Section 170 is amended as follows.

(2) In subsection (1), after “Agency” insert “ or by the NRBW ”.

(3) In subsection (2)(a)(i), after “Agency” insert “ or the NRBW ”.

(4) In subsection (3)—

(a) after “Agency”, in the first place where it occurs, insert “ or by the NRBW ”;

(b) after “Agency”, in the second place where it occurs, insert “ or the NRBW ”.

**291.**—(1) Section 171 is amended as follows.

(2) In subsection (1), after “Agency” insert “ or by the NRBW ”.

(3) In subsection (2), after “Agency”, in each place where it occurs, insert “ or the NRBW ”.

(4) In subsection (3)(c), after “Agency” insert “ or the NRBW ”.

(5) After subsection (5) insert—

“(6) In relation to the NRBW, the reference to functions in subsection (2)(a) has effect as a reference to relevant transferred functions.”

**292.**—(1) Section 172 is amended as follows.

(2) In subsection (1)—

(a) for “or the Agency” substitute “ , by the Agency, or by the NRBW ”;

(b) in paragraph (a), for “or on the Agency” substitute “ , on the Agency, or on the NRBW, ”.

(3) In subsections (2) and (3), for “or the Agency”, in each place where it occurs, substitute “ , the Agency, or the NRBW, ”.

(4) In subsection (3A), after “Agency's” insert “ or the NRBW's ”.

(5) In subsection (4), after “Agency” insert “ or the NRBW ”.

(6) After subsection (4) insert—

“(5) In relation to the NRBW, the reference to functions in subsection (4) has effect as a reference to relevant transferred functions.”

**293.** In section 174(1) and (2), after “Agency” insert “ or by the NRBW ”.

**294.** In sections 175 to 183, for “Agency” and “Agency's”, in each place where they occur (including in the cross-heading before section 175 and the headings to sections 175 and 180), substitute “ appropriate agency ” and “ appropriate agency's ” respectively.

**295.** In section 184, for “the Agency”, in each place where it occurs, substitute “ the NRBW ”.

**296.** In section 185(2), for “Agency” substitute “ appropriate agency ”.

**297.**—(1) Section 186 is amended as follows.

(2) In subsection (1), at the appropriate place insert—

““relevant transferred functions” means any functions which—

(a) were exercisable by the Agency before 1 April 2013, and

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

- (b) are functions of the NRBW by virtue of the Natural Resources Body for Wales (Functions) Order 2013,

but this is subject to subsection (1A).”

(3) After subsection (1) insert—

“(1A) For the purposes of the definition of “relevant transferred functions”—

- (a) a function of the Agency was exercisable before 1 April 2013 whether or not the enactment conferring it had come into force before that date, but
- (b) a function is only a relevant transferred function when the enactment conferring the Agency function transferred to or conferred on the NRBW has come into force.”

(4) In subsection (3), after “the Agency” insert “ or on the NRBW ”.

**298.** For section 188 substitute—

“**188** Duty of the Agency and NRBW to publish information

(1) The Agency must—

- (a) collate and publish information from which assessments can be made of the actual and prospective demand for water, and of actual and prospective water resources, in England; and
- (b) collaborate with others, so far as it considers it appropriate to do so, in collating and publishing any such information or any similar information in relation to places outside England.

(2) The NRBW must—

- (a) collate and publish information from which assessments can be made of the actual and prospective demand for water, and of actual and prospective water resources, in Wales; and
- (b) collaborate with others, so far as it considers it appropriate to do so, in collating and publishing any such information or any similar information in relation to places outside Wales.”

**299.** In sections 189 to 197 and 199 to 203, for “Agency” and “Agency's”, in each place where they occur (including in the cross-heading before section 189), substitute “ appropriate agency ” and “ appropriate agency's ” respectively.

**300.**—(1) Section 204 is amended as follows.

(2) In subsection (2)(a)—

- (a) after “the Agency,” insert “ the NRBW, ”;
- (b) for “or the Water Act 2003” substitute “ the Water Act 2003, or the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903) ”.

(3) In subsection (3)(a), after paragraph (ia) insert—

“(ib) the NRBW;”.

**301.** In section 207, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**302.**—(1) Section 208 is amended as follows.

(2) In subsection (1)—

- (a) after “Agency”, in the first place where it occurs, insert “ or the NRBW ”;

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

- (b) after “Agency”, in the second place where it occurs, insert “ or, as the case may be, the NRBW,”.
- (3) In subsections (2) and (3), after “Agency”, in each place where it occurs, insert “ or the NRBW ”.
- (4) In subsection (4)—
- (a) after “Agency” insert “ or the NRBW ”;
  - (b) after “Agency's” insert “ or the NRBW's ”.
- (5) In subsections (5) and (6), after “Agency”, in each place where it occurs, insert “ or the NRBW ”.
- (6) Accordingly, the heading to section 208 becomes “ Civil liability of the Agency or NRBW for escapes of water etc ”.
- 303.** In sections 210 to 216, for “Agency”, in each place where it occurs (including in the heading to section 210), substitute “ appropriate agency ”.
- 304.**—(1) Section 221 is amended as follows.
- (2) After the definition of “analyse” insert—
- ““the appropriate agency” means—
- (a) for the purposes of the flood risk management work provisions—
    - (i) in relation to flood risks (within the meaning of the Flood and Water Management Act 2010) in Wales, the NRBW;
    - (ii) in any other case, the Agency;
  - (b) for any other purpose—
    - (i) in relation to Wales, the NRBW;
    - (ii) in any other case, the Agency;”.
- (3) In the definition of “flood defence functions”—
- (a) for “the Agency”, in the first place where it occurs, substitute “ the appropriate agency ”;
  - (b) in paragraph (b), after “those functions” insert “ of the appropriate agency which were previously ”;
  - (c) in paragraph (c), for “the Agency” substitute “ the appropriate agency ”.
- (4) After the definition of “flood defence provisions” insert—
- ““flood risk management work provisions” means—
- (a) sections 159(1A), 160(1A), 165 and 166; and
  - (b) any other provision of Part 7 so far as it relates to a provision falling within paragraph (a);”.
- (5) After the definition of “notice” insert—
- ““the NRBW” means the Natural Resources Body for Wales;”.
- (6) In the definition of “public authority”, after “the Agency,” insert “ the NRBW, ”.
- (7) In the definition of “the related water resources provisions”, in paragraph (b)(ii), after “subsections (1)” insert “ , (1A) ”.
- (8) In the definition of “watercourse”, after “Agency” insert “ , the NRBW, ”.
- (9) In the definition of “water pollution provisions”, in the closing words, after “subsections (1)” insert “ , (1A) ”.
- (10) After subsection (1) insert—

“(1A) For the purposes of the definition of “the appropriate agency” in subsection (1), “Wales” has the meaning given by section 158 of the Government of Wales Act 2006.”

**305.**—(1) Section 222 is amended as follows.

(2) In subsection (2), for “Agency” substitute “ appropriate body ”.

(3) In subsection (8)—

(a) after “Agency's” insert “ or the NRBW's ”;

(b) after “Agency” insert “ or the NRBW ”.

(4) In subsection (9), in the appropriate place insert—

““the appropriate body” means—

(a) in relation to any act or omission of the Crown in England, the Agency;

(b) in relation to any act or omission of the Crown in Wales, the NRBW;”.

**306.** In Schedule 2, in paragraphs 1 to 3, 5, 8 and 10, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**307.** In Schedule 5, in paragraphs 2 to 5, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**308.**—(1) Schedule 6 is amended as follows.

(2) In paragraph 1—

(a) in sub-paragraph (2), for “Agency” substitute “ appropriate agency ”;

(b) in sub-paragraph (4)—

(i) in the opening words, for “Agency” substitute “ appropriate agency ”;

(ii) at the end of paragraph (g) insert “ and ”;

(iii) omit paragraph (h);

(c) in sub-paragraph (5), for “Agency” substitute “ appropriate agency ”;

(d) in sub-paragraph (6), for “Agency” and “Agency's” substitute “ appropriate agency ” and “ appropriate agency's ” respectively.

(3) In paragraphs 2 to 4, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**309.** In Schedule 7, in paragraphs 1(3) and 4, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**310.**—(1) Schedule 8 is amended as follows.

(2) In paragraph 1(2), in the Table, in the entry relating to “All orders”, after paragraph (a) insert—

“(aa) The NRBW (where it is not the applicant).”

(3) In paragraph 2(7)—

(a) after “Agency” insert “ or in connection with relevant environmental functions of or in relation to the NRBW ”;

(b) before “, a local inquiry held under this paragraph” insert “ as modified by subsection (4) of that section ”.

**311.** In the following provisions, for “Agency” and “Agency's”, in each place where they occur, substitute “ appropriate agency ” and “ appropriate agency's ” respectively—

(a) paragraphs 1 to 3 of Schedule 11;

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

- (b) paragraphs 1 and 2 of Schedule 14 (including the heading to that Schedule);
- (c) paragraphs 1 to 6 and 9 to 13 of Schedule 15;
- (d) paragraphs 1 to 3 of Schedule 16;
- (e) paragraphs 1 to 5, 7 and 8 of Schedule 19.

**312.**—(1) Schedule 20 is amended as follows.

(2) In paragraph 6(3)(b), after “Agency” insert “ or the NRBW ”.

(3) In paragraph 8(1), for “or the Agency” substitute “ , the Agency or the NRBW ”.

**313.** In Schedule 21, in paragraphs 1, 2, 4 and 5, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**314.**—(1) Schedule 22 is amended as follows.

(2) In paragraphs 1(1), 2(1)(a) and 3(5), for “Agency” substitute “ appropriate agency ”.

(3) In paragraph 5—

- (a) for “Agency”, in each place where it occurs, substitute “ appropriate agency ”;
- (b) after “section 37 of the 1995 Act” insert “ or, as the case may be, article 9 of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903) ”.

**315.** In the following provisions, for “Agency” and “Agency's”, in each place where they occur, substitute “ appropriate agency ” and “appropriate agency's” respectively—

- (a) paragraphs 1 to 7 of Schedule 23;
- (b) paragraphs 1 to 6 of Schedule 25 (including the heading to that Schedule and the heading to paragraph 3);
- (c) paragraphs 1, 2 and 4 to 6 of Schedule 26 (including the heading to that Schedule);
- (d) paragraphs 1, 3 to 5 and 7 to 9 of Schedule 27.

### **Land Drainage Act 1991 (c. 59)**

**316.** The Land Drainage Act 1991 is amended as follows.

**317.** In sections 2 to 10, for “Agency”, in each place where it occurs (including in the headings to sections 4, 5, 7 and 9), substitute “ appropriate supervisory body ”.

**318.**—(1) Section 11 is amended as follows.

(2) In subsection (1), after “Agency”, in each place where it occurs, insert “ or the Natural Resources Body for Wales ”.

(3) In subsection (2), for “Agency”, in each place where it occurs, substitute “ appropriate supervisory body ”.

**319.** In section 14A(8)(b), for “Environment Agency” substitute “ appropriate agency ”.

**320.** In sections 16 and 18, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**321.** In section 22(3)(b), for “Agency” substitute “ appropriate agency ”.

**322.**—(1) Section 23 is amended as follows.

(2) In subsection (1B), for “Environment Agency” substitute “ appropriate agency ”.

(3) In subsection (1C), for “Environment Agency” substitute “ appropriate supervisory body ”.

- 323.** In section 32, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.
- 324.** In section 35(1), for “Agency” substitute “ appropriate agency ”.
- 325.** In sections 36(1), 38, 39 and 47, for “Agency”, in each place where it occurs, substitute “ appropriate supervisory body ”.
- 326.** In sections 56, 57 and 58, for “Agency”, in each place where it occurs (including in the headings to sections 57 and 58), substitute “ appropriate agency ”.
- 327.** In section 59, after “Agency” insert “ or the Natural Resources Body for Wales ”.
- 328.** In section 61A, for “Agency”, in each place where it occurs, substitute “ appropriate supervisory body ”.
- 329.** In section 61B, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.
- 330.** In section 61C, for “the Countryside Council for Wales”, in each place where it occurs, substitute “ the Natural Resources Body for Wales ”.
- 331.**—(1) Section 61E(4) is amended as follows.
- (2) After paragraph (a) insert—
- “(aa) the Natural Resources Body for Wales;”.
- (3) In paragraph (b), omit “and the Countryside Council for Wales”.
- 332.** In section 61F, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.
- 333.**—(1) Section 67 is amended as follows.
- (2) In subsection (2), after “Agency”, in each place where it occurs, insert “ or the Natural Resources Body for Wales ”.
- (3) In subsection (5), for “Agency” substitute “ appropriate agency ”.
- 334.**—(1) In section 70, after “Agency” insert “ or the Natural Resources Body for Wales ”.
- (2) Accordingly, in the heading to that section, after “Agency” insert “ and Natural Resources Body for Wales ”.
- 335.**—(1) Section 72 is amended as follows.
- (2) In subsection (1)—
- (a) in the appropriate place insert—
- ““the appropriate agency” means—
- (a) in relation to England, the Agency;
- (b) in relation to Wales, the Natural Resources Body for Wales;
- “the appropriate supervisory body” means—
- (a) in relation to internal drainage districts which are wholly or mainly in England, the Agency;
- (b) in relation to internal drainage districts which are wholly or mainly in Wales, the Natural Resources Body for Wales.”;
- (b) in the definition of “drainage body”, after “Agency,” insert “ the Natural Resources Body for Wales, ”.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)

(3) In subsection (6), after “Agency” insert “, the Natural Resources Body for Wales”.

(4) In subsection (8), after “Agency” insert “ or the Natural Resources Body for Wales”.

**336.** In section 74(5), after “Agency” insert “ or the Natural Resources Body for Wales”.

**337.** In Schedule 2, in paragraphs 4(1)(b) and 5(1)(b), for “Agency” substitute “ appropriate supervisory body”.

**338.** In Schedule 4, for “Agency”, in each place where it occurs, substitute “ appropriate agency”.

**339.** In Schedule 6, in paragraph 1(1)(a), after “Agency,” insert “ the Natural Resources Body for Wales, ”.

#### **Transport and Works Act 1992 (c. 42)**

**340.** In section 6(7)(b) of the Transport and Works Act 1992, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales”.

#### **Protection of Badgers Act 1992 (c. 51)**

**341.** In section 10(4)(b) of the Protection of Badgers Act 1992, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales”.

#### **Clean Air Act 1993 (c. 11)**

**342.** The Clean Air Act 1993 is amended as follows.

**343.**—(1) Section 31 is amended as follows.

(2) In subsection (4)(a)(ii) and (b), for “Environment Agency” substitute “ appropriate agency”.

(3) After subsection (5) insert—

“(6) In this section, “appropriate agency” means—

(a) in relation to England, the Environment Agency;

(b) in relation to Wales, the Natural Resources Body for Wales.”

**344.** In section 36(2A), for “Environment Agency”, in each place where it occurs, substitute “ appropriate agency”.

**345.** In section 40, before paragraph (a) insert—

“(za) “appropriate agency” means—

(i) in relation to England, the Environment Agency;

(ii) in relation to Wales, the Natural Resources Body for Wales;”.

#### **Cardiff Bay Barrage Act 1993 (c. 42)**

**346.** The Cardiff Bay Barrage Act 1993 is amended as follows.

**347.** In section 2(6), for “Countryside Council for Wales” substitute “ Natural Resources Body for Wales”.

**348.** In section 3(1), for the words from “granted” to “to” substitute “ granted by the Natural Resources Body for Wales to”.

**349.**—(1) Section 8 is amended as follows.



(2) In subsection (1), in the opening words, for the words from “by the” to “in” substitute “ by the Natural Resources Body for Wales in ”.

(3) In subsection (2)(a), for the words from “specified” to “as” substitute “ specified by the Natural Resources Body for Wales as ”.

(4) In subsection (3)(b), for the words from “by the” to “for” substitute “ by the Natural Resources Body for Wales for ”.

(5) In subsection (4)(a), for the words from “the” to “and” substitute “ the Natural Resources Body for Wales, and ”.

**350.** In section 9(3), for “Countryside Council for Wales” substitute “ Natural Resources Body for Wales ”.

**351.**—(1) Section 12 is amended as follows.

(2) In subsection (1)(b), for the words from “the” to “for” substitute “ the Natural Resources Body for Wales for ”.

(3) In subsection (3)(a), for the words from “the” to “and” substitute “ the Natural Resources Body for Wales, and ”.

**352.** In section 14(2), for “Countryside Council for Wales” substitute “ Natural Resources Body for Wales ”.

**353.** In section 15(6)(b), for the words from “power” to “under” substitute “ power of the Natural Resources Body for Wales under ”.

**354.** In section 16(5), for the words after “consult” substitute “ the Natural Resources Body for Wales ”.

**355.** In section 20(6)(b), for the words from “the” to “under” substitute “ the Natural Resources Body for Wales under ”.

**356.** In section 26(2), for the words after “delegation” substitute “ to the Natural Resources Body for Wales ”.

**357.**—(1) Schedule 2 is amended as follows.

(2) In paragraph 3(1), for the words from “and” to “carry” substitute “ and the Natural Resources Body for Wales, carry ”.

(3) In paragraph 11—

(a) in sub-paragraph (1), in the opening words, for the words from “Where” to “and” substitute “ Where the Natural Resources Body for Wales and ”;

(b) in sub-paragraph (2), for the words from “the” to “or a” substitute “ the Natural Resources Body for Wales or a ”.

**358.**—(1) Schedule 3 is amended as follows.

(2) In paragraph 2(1)—

(a) in paragraph (a)—

(i) in sub-paragraph (i), for the words after “submitted to” substitute “ the Natural Resources Body for Wales ”;

(ii) in sub-paragraph (ii), for the words after “approved by” substitute “ the Natural Resources Body for Wales ”;

(iii) in sub-paragraph (iii), for the words after “given to” substitute “ the Natural Resources Body for Wales, and ”;

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)

- (iv) in sub-paragraph (iv), for the words after “been sent to” substitute “ the Natural Resources Body for Wales ”;
  - (b) in paragraph (b), in the opening words, for the words after “submit to” substitute “ the Natural Resources Body for Wales ”;
  - (c) in paragraph (c), for the words after “submitted to” substitute “ the Natural Resources Body for Wales ”;
  - (d) in paragraph (d), in the opening words, for the words from “which the” to “may” substitute “ which the Natural Resources Body for Wales may ”;
  - (e) in paragraph (e), for the words from “allow” to “access” substitute “ allow the Natural Resources Body for Wales access ”.
- (3) In paragraph 4(1)—
- (a) in paragraph (b), for the words from “agreed” to “at” substitute “ agreed by the Natural Resources Body for Wales, at ”;
  - (b) in paragraph (e), in the opening words, for the words from “the” to “costs” substitute “ the Natural Resources Body for Wales costs ”.
- (4) In paragraph 5—
- (a) in paragraph (b), for the words from “which” to “may” substitute “ which the Natural Resources Body for Wales may ”;
  - (b) in paragraph (c), for the words from “allow” to “access” substitute “ allow the Natural Resources Body for Wales access ”;
  - (c) in paragraph (d), for the words from “send” to “as soon” substitute “ send to the Natural Resources Body for Wales as soon ”.
- (5) In paragraph 7—
- (a) in sub-paragraph (1)(a), for the words after “withholding” substitute “ by the Natural Resources Body for Wales of approval required by paragraph 2(1)(a)(ii) above ”;
  - (b) in sub-paragraph (2), for the words from “and” to “to” substitute “ and the Natural Resources Body for Wales as to ”.

**359.** In Schedule 4, in paragraph 3(2)(b), for the words after “the” substitute “ Natural Resources Body for Wales, or ”.

#### **Coal Industry Act 1994 (c. 21)**

**360.** In section 59(3) of the Coal Industry Act 1994, after paragraph (e) insert—

- “(f) the Natural Resources Body for Wales is a relevant authority in relation to its relevant transferred functions (within the meaning of article 11 of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903)).”

#### **Environment Act 1995 (c. 25)**

**361.** The 1995 Act is amended as follows.

**362.—**(1) Section 4 is amended as follows.

(2) In subsection (2)—

- (a) for “Ministers” substitute “ Secretary of State ”;
- (b) for “they consider” substitute “ the Secretary of State considers ”.

- (3) In subsections (3) and (5)(c), for “Ministers consider” substitute “ Secretary of State considers ”.
- (4) In subsection (7), for “Ministers” substitute “ Secretary of State ”.
- (5) In subsection (9)—
  - (a) for “Ministers” substitute “ Secretary of State ”;
  - (b) for “they consider” substitute “ the Secretary of State considers ”.

**363.**—(1) Before the heading to section 5, insert the following Chapter heading—

“Chapter 1A

General functions of the Agency and the Natural Resources Body for Wales”.

(2) Sections 5 to 10 become Chapter 1A of Part 1.

**364.**—(1) Section 5 is amended as follows.

- (2) In subsection (1), for “The Agency's” substitute “ An appropriate agency's ”.
- (3) In subsection (2), for “The Agency” substitute “ An appropriate agency ”.
- (4) In subsection (3)—
  - (a) in the opening words—
    - (i) for “either of the Ministers” substitute “ the appropriate national authority ”;
    - (ii) for “the Agency” substitute “ an appropriate agency ”;
  - (b) in paragraph (a), for “that Minister” substitute “ the appropriate national authority ”;
  - (c) in paragraph (b)—
    - (i) for “that Minister” substitute “ the appropriate national authority ”;
    - (ii) for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.
- (5) In subsections (4) and (5), for “the Agency” substitute “ an appropriate agency ”.
- (6) After subsection (5) insert—

“(6) But in relation to the Natural Resources Body for Wales, “pollution control powers” and “pollution control functions” do not include powers or functions which—

  - (a) were exercisable by the Countryside Council for Wales or the Forestry Commissioners immediately before 1 April 2013; and
  - (b) are functions of that Body by virtue of the Natural Resources Body for Wales (Functions) Order 2013.”

**365.**—(1) Section 6 is amended as follows.

- (2) In subsection (1), for “the Agency”, in the first and second places where it occurs, substitute “ an appropriate agency ”.
- (3) In subsection (2), omit “and Wales” in each place where it occurs.
- (4) After subsection (2) insert—

“(2A) The Natural Resources Body for Wales must take all such action as it may from time to time consider, in accordance with any directions given under article 11 of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903), to be necessary or expedient for the purpose—

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

- (a) of conserving, redistributing or otherwise augmenting water resources in Wales; and
- (b) of securing the proper use of water resources in Wales (including the efficient use of those resources);

but nothing in this subsection shall be construed as relieving any water undertaker of the obligation to develop water resources for the purpose of performing any duty imposed on it by virtue of section 37 of the Water Industry Act 1991 (general duty to maintain water supply system).”

(5) In subsection (4), after “England and” insert “ the Natural Resources Body for Wales shall in relation to ”.

(6) In subsection (5), after “England and” insert “ the Natural Resources Body for Wales' flood defence functions shall extend to the territorial sea adjacent to ”.

(7) In subsection (6), for “the Agency” substitute “ an appropriate agency ”.

(8) In subsection (7), omit “and Wales” in each place where it occurs.

(9) After subsection (7) insert—

“(7A) The area in respect of which the Natural Resources Body for Wales shall carry out its functions relating to fisheries shall be the whole of Wales, together with such part of the territorial sea adjacent to Wales as extends for six miles from the baselines from which the breadth of that sea is measured.”

(10) After subsection (8) insert—

“(9) For the purposes of this section, the parts of the territorial sea which are adjacent to Wales, and which are therefore not adjacent to England, are the parts of the sea which are treated as adjacent to Wales for the purposes of section 158 of the Government of Wales Act 2006.”

**366.**—(1) Section 8 is amended as follows.

(2) In subsection (1)—

(a) in the opening words—

- (i) omit “or the Countryside Council for Wales”;
- (ii) omit “or, as the case may be, Wales”;

(b) in paragraph (b), for “the Agency”, in each place where it occurs, substitute “ an appropriate agency ”;

(c) in the closing words—

- (i) for “the Agency or (as the case may be) the Council” substitute “ Natural England ”;
- (ii) for “to the Agency” substitute “ to the appropriate agency ”.

(3) After subsection (1) insert—

“(1A) Where the Natural Resources Body for Wales is of the opinion that any area of land in Wales—

- (a) is of special interest by reason of its flora, fauna or geological or physiographical features, and
  - (b) may at any time be affected by schemes, works, operations or activities of the Agency or by an authorisation given by the Agency,
- the Natural Resources Body for Wales shall notify the fact that the land is of special interest for that reason to the Agency.”

(4) In subsection (2)—

- (a) in paragraph (b), for “the Agency”, in each place where it occurs, substitute “ an appropriate agency ”;
- (b) in the closing words, for “Agency” substitute “ appropriate agency ”.
- (5) In subsection (3)—
  - (a) for “the Agency”, in the first place where it occurs, substitute “ an appropriate agency ”;
  - (b) after “subsection (1)” insert “ , (1A) ”;
  - (c) for “Agency”, in the second place where it occurs, substitute “ appropriate agency ”.
- (6) In subsection (4), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**367.**—(1) Section 9 is amended as follows.

(2) For subsection (1) substitute—

“(1) The appropriate national authority shall have power by order to approve any code of practice issued (whether by the appropriate national authority or by another person) for the purpose of—

- (a) giving practical guidance to an appropriate agency with respect to any of the matters for the purposes of which the provisions specified in subsection (5) have effect, and
- (b) promoting what appear to the appropriate national authority to be desirable practices by an appropriate agency with respect to those matters,

and may at any time by such an order approve a modification of such a code or withdraw its approval of such a code or modification.”

(3) In subsection (2), for “section 6(1), 7 or 8 above, the Agency” substitute “ the provisions specified in subsection (5), an appropriate agency ”.

(4) In subsection (3)—

- (a) for “Neither of the Ministers shall” substitute “ The Secretary of State shall not ”;
- (b) in paragraph (b), omit “and the Countryside Council for Wales”;
- (c) in paragraph (d), omit “and the Sports Council for Wales”.

(5) After subsection (3) insert—

“(3A) The Welsh Ministers shall not make an order under this section unless they have first consulted—

- (a) the Natural Resources Body for Wales;
- (b) the Sports Council for Wales; and
- (c) such other persons as they consider it appropriate to consult.”

(6) In subsection (4)—

- (a) omit “of each of the Ministers”;
- (b) at the end insert “ (in the case of an order made by the Secretary of State) or of the National Assembly for Wales (in the case of an order made by the Welsh Ministers) ”.

(7) After subsection (4) insert—

“(5) The provisions referred to in subsections (1) and (2) are—

- (a) in relation to the Agency, sections 6(1), 7 and 8;
- (b) in relation to the Natural Resources Body for Wales—
  - (i) sections 6(1) and 8; and

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)

- (ii) articles 5A, 5C, 5D, 5E and 5G of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903).”

**368.** After section 9 insert—

“**9A** Duty of the Agency to cooperate with the Natural Resources Body for Wales

The Agency must cooperate with the Natural Resources Body for Wales, and coordinate its activities with those of the Natural Resources Body for Wales, as may be appropriate in the circumstances.”

**369.**—(1) Section 10 is amended as follows.

(2) In subsection (1)—

(a) in paragraph (a) omit “and”;

(b) after paragraph (a) insert—

“(aa) for the purposes of article 9 of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903), in relation to the Natural Resources Body for Wales; and”;

(c) in paragraph (b), for “the Agency”, in each place where it occurs, substitute “ an appropriate agency ”;

(d) in the closing words, after “described in paragraphs (a)” insert “ , (aa) ”.

(3) In subsection (2)—

(a) in the opening words, for “the Agency” substitute “ an appropriate agency ”;

(b) in paragraphs (a) to (c), for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(4) In subsection (3), for “the Agency” substitute “ an appropriate agency ”.

(5) In subsections (4) and (5)—

(a) for “the Agency”, in the first place where it occurs in each of those subsections, substitute “ an appropriate agency ”;

(b) for “Agency”, in the second place where it occurs in each of those subsections, substitute “ appropriate agency ”.

(6) Accordingly, in the heading to section 10, after “Agency” insert “ and the Natural Resources Body for Wales ”.

**370.** In the heading to Chapter 3 of Part 1, after “the New Agencies” insert “ and the Natural Resources Body for Wales ”.

**371.** In section 40, after subsection (8) insert—

“(9) For the purposes of this section, the “appropriate Minister” in relation to the Agency is—

(a) in any case not falling within paragraph (b), the Secretary of State;

(b) in the case of a direction under subsection (1)—

(i) which would have any effect in Wales, or

(ii) which relates to water resources management, water supply, rivers or other watercourses, control of pollution of water resources, sewerage or land drainage, and which would have any effect in the catchment areas of the rivers Dee, Wye and Severn,

the Secretary of State or the Welsh Ministers.

(10) The Secretary of State may give a direction falling within subsection (9)(b) only after consulting the Welsh Ministers.

(11) The Welsh Ministers may give a direction under this section only with the consent of the Secretary of State.”

**372.**—(1) Section 41 is amended as follows.

(2) In subsection (1)—

- (a) in paragraph (a), for “the Agency” substitute “ an appropriate agency ”;
- (b) in paragraph (b), for “a new Agency” substitute “ the Agency, the Natural Resources Body for Wales or SEPA ”;
- (c) in paragraphs (ba) and (c), for “the Agency” substitute “ an appropriate agency ”;
- (d) in paragraph (e), for “each of the new Agencies” substitute “ the Agency, the Natural Resources Body for Wales or SEPA ”;
- (e) in paragraph (f), for “each of the new Agencies” substitute “ an appropriate agency ”;
- (f) in paragraph (g), for “each of the new Agencies” substitute “ the Agency, the Natural Resources Body for Wales or SEPA ”;
- (g) in the closing words, for “new Agency” substitute “ body ”.

(3) In subsection (6), for “a new Agency” substitute “ the Agency, the Natural Resources Body for Wales or SEPA ”.

(4) After subsection (9) insert—

“(9A) The Natural Resources Body for Wales may not make a charging scheme unless the provisions of the scheme have been approved by the Welsh Ministers under section 42.”

**373.**—(1) Section 42 is amended as follows.

(2) In subsection (1)—

- (a) in the opening words, for “for his approval, a new Agency” substitute “ or the Welsh Ministers for approval, a charging authority ”;
- (b) in paragraph (b), at the end insert “ or, as the case may be, the Welsh Ministers ”.

(3) In subsection (2)—

- (a) in the opening words—
  - (i) for “for his” substitute “ or the Welsh Ministers for ”;
  - (ii) after “he” insert “ or they ”;
- (b) in paragraph (a), after “him” insert “ or them ”.

(4) In subsection (3)—

- (a) in the opening words, for “new Agency”, in each place where it occurs, substitute “ charging authority ”;
- (b) in the closing words, after “Secretary of State” insert “ or, as the case may be, the Welsh Ministers ”.

(5) In subsection (4)—

- (a) in the opening words—
  - (i) after “considers” insert “ or which the Welsh Ministers consider ”;
  - (ii) for “new Agency's” substitute “ charging authority's ”;

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

- (iii) after “Secretary of State”, in the second place where it occurs, insert “ or the Welsh Ministers ”;
- (b) in paragraph (a)—
  - (i) for “new Agency's” substitute “ charging authority's ”;
  - (ii) after “below” insert “ or (in the case of the Natural Resources Body for Wales) under article 13 of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903) ”;
- (c) in paragraph (b), for “new Agency” substitute “ charging authority ”.
- (6) In subsection (5)—
  - (a) after “Secretary of State” insert “ or the Welsh Ministers (as the case may be) ”;
  - (b) for “the Agency's” substitute “ an appropriate agency's ”;
  - (c) for “Agency” substitute “ appropriate agency ”;
  - (d) after “section 6(2)” insert “ or (2A) ”.
- (7) In subsection (6)—
  - (a) after “Secretary of State”, in the first place where it occurs, insert “ or the Welsh Ministers ”;
  - (b) for “new Agency” substitute “ charging authority ”.
- (8) In subsections (8) and (9), for “new Agency”, in each place where it occurs, substitute “ charging authority ”.
- (9) In subsection (11), after “section 41 or 41A” insert “ and “charging authority” means the body that makes or proposes to make a charging scheme ”.

**374.—**(1) Section 53 is amended as follows.

(2) After subsection (1) insert—

“(1A) Without prejudice to any other provision of this Act or any other enactment by virtue of which an inquiry or other hearing is authorised or required to be held, the Welsh Ministers may cause an inquiry or other hearing to be held if it appears to them expedient to do so—

- (a) in connection with any of the relevant environmental functions of the Natural Resources Body for Wales; or
- (b) in connection with any of their functions in relation to the relevant environmental functions of that Body.”

(3) In subsection (2)—

- (a) in paragraph (a), after “Agency” insert “ or any of the relevant environmental functions of the Natural Resources Body for Wales ”;
- (b) in paragraph (b), after “Agency” insert “ or any functions of the Welsh Ministers in relation to the relevant environmental functions of the Natural Resources Body for Wales ”;
- (c) in the closing words, after “Agency” insert “ or, as the case may be, the Natural Resources Body for Wales ”.

(4) After subsection (3) insert—

“(4) In this section, “relevant environmental functions” means—

- (a) pollution control functions (within the meaning of section 5); and
- (b) any functions relating to water resources, flood and coastal erosion risk management or fisheries.”



**375.**—(1) Section 56(1) is amended as follows.

(2) In the appropriate places insert the following definitions—

““appropriate agency” means the Agency or the Natural Resources Body for Wales;”;

““the appropriate national authority” means—

(a) in relation to the Agency, the Secretary of State;

(b) in relation to the Natural Resources Body for Wales, the Welsh Ministers;”.

(3) In the following definitions, for “the Agency”, in each place where it occurs, substitute “ an appropriate agency ”

(a) the definition of “environmental licence” which applies in relation to the Agency; and

(b) the definition of “flood defence functions”.

**376.** In sections 66(7)(a) and 72(2), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**377.** In section 80(6)(a), for “appropriate new Agency” substitute “ appropriate agency ”.

**378.**—(1) Section 81 is amended as follows.

(2) In subsection (1), after “new Agency” insert “ and the Natural Resources Body for Wales ”.

(3) In subsection (2)—

(a) in the opening words, omit “, in relation to a new Agency;”;

(b) in paragraph (a)—

(i) after “the Agency” insert “ or the Natural Resources Body for Wales ”;

(ii) after “above” insert “ (subject, in the case of the Body, to section 5(6) above) ”.

**379.** In section 87(3) and (7)(a), for “appropriate new Agency” substitute “ appropriate agency ”.

**380.** In section 91(1), for the definition of “the appropriate new Agency” substitute—

““the appropriate agency” means—

(a) in relation to England, the Agency;

(b) in relation to Wales, the Natural Resources Body for Wales;

(c) in relation to Scotland, SEPA;”.

**381.**—(1) Section 94 is amended as follows.

(2) In subsection (3)—

(a) for “either new Agency” substitute “ a new Agency ”;

(b) for “the other of them” substitute “ any other of them ”.

(3) In subsection (6)—

(a) in the definition of “the appropriate Agency”—

(i) in paragraph (a) omit “and Wales”;

(ii) after paragraph (a) insert—

“(aa) in relation to Wales, the Natural Resources Body for Wales;”;

(b) in the definition of “new Agency” for “or SEPA” substitute “ , the Natural Resources Body for Wales or SEPA ”.

**382.**—(1) Section 108 is amended as follows.

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)

(2) In subsections (2) and (3), after “the Agency”, in each place where it occurs, insert “, the Natural Resources Body for Wales”.

(3) In subsection (15)—

(a) in the definition of “enforcing authority”, after paragraph (b) insert—

“(bza) the Natural Resources Body for Wales;”;

(b) in the definition of “pollution control functions” which applies in relation to the Agency and SEPA—

(i) in the opening words, after “the Agency” insert “, the Natural Resources Body for Wales”;

(ii) in the closing words, after “the Agency” insert “ or the Natural Resources Body for Wales”;

(iii) at the end insert— “ but, in relation to the Natural Resources Body for Wales, does not include any functions which were exercisable by the Countryside Council for Wales or the Forestry Commissioners immediately before 1 April 2013 and are functions of that Body by virtue of the Natural Resources Body for Wales (Functions) Order 2013; ”.

**383.** In section 111(5), in the definition of “environmental licence”, after “the Agency” insert “, the Natural Resources Body for Wales”.

**384.**—(1) Section 113 is amended as follows.

(2) In subsection (1)—

(a) for “a new Agency”, in each place where it occurs, substitute “ a relevant agency ”;

(b) in paragraph (a), for “the other new Agency” substitute “ another relevant agency ”;

(c) at the end of paragraph (b), omit “or”;

(d) after paragraph (c) insert “or

(d) by the Natural Resources Body for Wales to the Forestry Commissioners;”;

(e) in the closing words, for “either of the new Agencies” substitute “ any of the relevant agencies ”.

(3) In subsection (2), for “new Agency”, in each place where it occurs, substitute “ relevant agency ”.

(4) In subsection (5)—

(a) omit the definition of “new Agency”;

(b) at the end insert—

““relevant agency” means the Agency, the Natural Resources Body for Wales or SEPA.”

**385.** In section 115(3), after “the Agency” insert “, the Natural Resources Body for Wales”.

**386.** In Schedule 7, in paragraphs 4(1) and 14(3), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**387.** In Schedule 20, in paragraph 5(1)(c), after “the Agency” insert “ or the Natural Resources Body for Wales, as appropriate ”.

### **Finance Act 1996 (c. 8)**

**388.** The Finance Act 1996 is amended as follows.

**389.** In section 70(1), in the appropriate place insert—

““the Natural Resources Body for Wales” means the body established by article 3 of the Natural Resources Body for Wales (Establishment) Order 2012 (S.I. 2012/1903);”.

**390.** In Schedule 5, in paragraph 35(1), after paragraph (b) insert—

“(ba) the Natural Resources Body for Wales;”.

#### **Government of Wales Act 1998 (c. 38)**

**391.** The Government of Wales Act 1998 is amended as follows.

**392.** In Part 3 of Schedule 4, omit paragraph 15.

**393.** In Schedule 7, omit paragraphs 1 and 2.

#### **Pollution Prevention and Control Act 1999 (c. 24)**

**394.** The Pollution Prevention and Control Act 1999 is amended as follows.

**395.**—(1) Section 2(4) is amended as follows.

(2) In paragraph (a) omit “or Wales”.

(3) After paragraph (a) insert—

“(aa) the Natural Resources Body for Wales if the regulations are to apply in relation to Wales;”.

**396.** In section 3(4)(a), after “Environment Agency” insert “, the Natural Resources Body for Wales”.

#### **Care Standards Act 2000 (c. 14)**

**397.** In Schedule 2A to the Care Standards Act 2000, in paragraph 15, for “The Countryside Council for Wales” substitute “The Natural Resources Body for Wales”.

#### **Regulation of Investigatory Powers Act 2000 (c. 23)**

**398.** In Part 2 of Schedule 1 to the Regulation of Investigatory Powers Act 2000, after paragraph 28E insert—

*“The Natural Resources Body for Wales*

**28F** The Natural Resources Body for Wales.”

#### **Freedom of Information Act 2000 (c. 36)**

**399.**—(1) Part 6 of Schedule 1 to the Freedom of Information Act 2000 is amended as follows.

(2) Omit “The Countryside Council for Wales.”

(3) In the appropriate place insert “The Natural Resources Body for Wales.”

#### **Countryside and Rights of Way Act 2000 (c. 37)**

**400.** The Countryside and Rights of Way Act 2000 is amended as follows.

**401.** In section 1(2), in the definition of “the appropriate countryside body”, in paragraph (b), for “the Countryside Council for Wales” substitute “the Natural Resources Body for Wales”.

**402.** In sections 4(2) and 20(2) and (3), for “the Countryside Council for Wales” substitute “the Natural Resources Body for Wales”.

*Status: Point in time view as at 01/04/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)*

**403.**—(1) Section 21 is amended as follows.

(2) In subsection (6)(a), after “any land” insert “ in England ”.

(3) After subsection (6) insert—

“(6A) Where—

(a) it appears to the Natural Resources Body for Wales that any land in a National Park in Wales which is dedicated for the purposes of this Part under section 16 consists wholly or predominantly of woodland, and

(b) the Natural Resources Body for Wales give to the relevant National Park Authority who are apart from this subsection the relevant authority for the purposes of this Chapter in relation to the land a notice stating that the Natural Resources Body for Wales are to be the relevant authority for those purposes as from a date specified in the notice,

the Natural Resources Body for Wales shall as from that date become the relevant authority in relation to that land for those purposes, but subject to subsection (7A).”

(4) In subsection (7), after “any land” insert “ in England ”.

(5) After subsection (7) insert—

“(7A) Where it appears to the Natural Resources Body for Wales that any land in relation to which they are by virtue of subsection (6A) the relevant authority for the purposes of this Chapter has ceased to consist wholly or predominantly of woodland, the Natural Resources Body for Wales may, by giving notice to the National Park Authority who would apart from subsection (6A) be the relevant authority, revoke the notice under subsection (6A) as from a date specified in the notice under this subsection.”

**404.** In section 26, for “the Countryside Council for Wales”, in each place where it occurs, substitute “ the Natural Resources Body for Wales ”.

**405.**—(1) Section 33 is amended as follows.

(2) For “the Countryside Council for Wales”, in each place where it occurs, substitute “ the Natural Resources Body for Wales ”.

(3) In subsection (2) omit paragraph (b) (and the “and” before it).

**406.** In sections 58(1)(b) and 61(1)(f), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**407.**—(1) Section 82(2) is amended as follows.

(2) For “the Countryside Council for Wales (in this Part referred to as “the Council”)” substitute “ the Natural Resources Body for Wales (in this Part referred to as “the NRBW”) ”.

(3) For “Council”, in the second place where it occurs, substitute “ NRBW ”.

**408.** In sections 83, 84, 86(7)(a), 90(1)(a)(ii) and 91(3), for “Council”, in each place where it occurs, substitute “ NRBW ”.

**409.**—(1) Section 92(1) is amended as follows.

(2) Omit the definition of “the Council”.

(3) In the appropriate place insert—

““the NRBW” means the Natural Resources Body for Wales;”.

**410.** In Part 2 of Schedule 1, in paragraph 14(1), in the definition of “statutory undertaker”, after “Environment Agency” insert “ , the Natural Resources Body for Wales ”.

**411.**—(1) Schedule 6 is amended as follows.

(2) In paragraph 12, in the section 119D(12) to be inserted into the Highways Act 1980 as respects Wales, in the definition of “the appropriate conservation body”, in paragraph (b), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

(3) In paragraph 16, in the section 135A(6)(c) to be inserted into that Act, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**412.** In Schedule 13, in paragraph 6(2), for “Council” substitute “ NRBW ”.

### **Waste and Emissions Trading Act 2003 (c. 33)**

**413.** In section 19(4)(a) of the Waste and Emissions Trading Act 2003, for “the Environment Agency” substitute “ the Natural Resources Body for Wales ”.

### **Water Act 2003 (c. 37)**

**414.** The Water Act 2003 is amended as follows.

**415.** In section 3, for “the Environment Agency” and “the Agency”, in each place where they occur, substitute “ the appropriate agency ”.

**416.**—(1) Section 4 is amended as follows.

(2) In subsection (1), in the opening words, for “Environment Agency's” substitute “ appropriate agency's ”.

(3) For “the Agency”, in each place where it occurs, substitute “ the appropriate agency ”.

(4) In subsection (2)(a), for “Environment Agency” substitute “ appropriate agency ”.

**417.**—(1) Section 7 is amended as follows.

(2) In subsection (3)—

(a) for “Agency”, in each place where it occurs, substitute “ appropriate agency ”;

(b) for “Agency's” substitute “ appropriate agency's ”.

**418.** In section 10(5)(c), for “Agency” substitute “ appropriate agency ”.

**419.** In section 27(1)(a), for “Environment Agency” substitute “ appropriate agency ”.

**420.**—(1) Section 33 is amended as follows.

(2) In subsection (3)(a), for “Agency” substitute “ appropriate agency ”.

(3) In subsection (5)—

(a) after “Environment Agency” insert “ or of the Natural Resources Body for Wales, whether framed by reference to the appropriate agency or otherwise, ”;

(b) after “the Agency's” insert “ or, as the case may be, the Natural Resources Body for Wales' ”.

**421.**—(1) Section 52 is amended as follows.

(2) In subsection (1)—

(a) at the end of paragraph (c), omit “and”;

(b) after paragraph (c) insert—

“(ca) the Natural Resources Body for Wales, and”.

*Status: Point in time view as at 01/04/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 . (See end of Document for details)*

(3) In subsection (3), for paragraph (c) substitute—

“(c) in the case of the Environment Agency and the Natural Resources Body for Wales, to their functions concerning water resources and water pollution so far as they relate to water and sewerage undertakers and licensed water suppliers.”

**422.** In section 102, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**423.** In section 103, for “Environment Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**424.** In section 105(2), after paragraph (b) insert—

“(ba) “the appropriate agency” has the meaning given by section 221 of the WRA.”.

### **Energy Act 2004 (c. 20)**

**425.** The Energy Act 2004 is amended as follows.

**426.** In section 14(3)(g), after “the Environment Agency” insert “ , the Natural Resources Body for Wales ”.

**427.**—(1) Schedule 2 is amended as follows.

(2) In paragraph 4(2), after paragraph (b) insert—

“(ba) the Natural Resources Body for Wales;”.

(3) In paragraph 5(9), after paragraph (c) insert—

“(ca) the Natural Resources Body for Wales;”.

**428.**—(1) Schedule 3 is amended as follows.

(2) In paragraph 2(1), after paragraph (b) insert—

“(ba) the Natural Resources Body for Wales;”.

(3) In paragraph 3(8), after paragraph (c) insert—

“(ca) the Natural Resources Body for Wales;”.

### **Civil Contingencies Act 2004 (c. 36)**

**429.** In Part 1 of Schedule 1 to the Civil Contingencies Act 2004, after paragraph 12 insert—

“**12A** The Natural Resources Body for Wales.”

### **Public Services Ombudsman (Wales) Act 2005 (c. 10)**

**430.** In Schedule 3 to the Public Services Ombudsman (Wales) Act 2005, for “The Countryside Council for Wales” substitute “ The Natural Resources Body for Wales ”.

### **Natural Environment and Rural Communities Act 2006 (c. 16)**

**431.** The Natural Environment and Rural Communities Act 2006 is amended as follows.

**432.** In section 32(1)(b), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**433.** In section 42(2) and (4), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

### **Commons Act 2006 (c. 26)**

**434.** In Schedule 1 to the Commons Act 2006, in paragraph 1(1)(c) and (2), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

### **Commissioner for Older People (Wales) Act 2006 (c. 30)**

**435.** In Schedule 2 to the Commissioner for Older People (Wales) Act 2006, for “The Countryside Council for Wales” substitute “ The Natural Resources Body for Wales ”.

### **Government of Wales Act 2006 (c. 32)**

**436.** The Government of Wales Act 2006 is amended as follows.

**437.**—(1) Section 148(2) is amended as follows.

(2) Omit paragraph (b).

(3) After paragraph (k) insert—

“(ka) the Natural Resources Body for Wales,”.

**438.** In section 152(6), after paragraph (a) insert—

“(aa) the Natural Resources Body for Wales, if concerned in the case,”.

### **Regulatory Enforcement and Sanctions Act 2008 (c. 13)**

**439.**—(1) Schedule 5 to the Regulatory Enforcement and Sanctions Act 2008 is amended as follows.

(2) Omit “Countryside Council for Wales”.

(3) In the appropriate place insert “ Natural Resources Body for Wales ”.

### **Planning Act 2008 (c. 29)**

**440.** In Schedule 8 to the Planning Act 2008, in paragraph 2, in the subsections (1A)(a) and (5A)(a) to be inserted into section 15 of the Forestry Act 1967 in relation to Wales, for “England and Wales” substitute “ England or Wales ”.

### **Marine and Coastal Access Act 2009 (c. 23)**

**441.** The Marine and Coastal Access Act 2009 is amended as follows.

**442.** In section 16(1), after paragraph (e) insert—

“(f) the Natural Resources Body for Wales.”

**443.** In section 147(1), in the definition of “the appropriate statutory conservation body”, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**444.** In section 149(3), after paragraph (f) insert—

“(g) the Natural Resources Body for Wales, in a case where, if the order were made, the IFC district established by the order would adjoin the Welsh inshore region,”.

**445.** In section 152(2), after paragraph (g) insert—

“(h) the Natural Resources Body for Wales, in a case where the IFC district established by the order adjoins the Welsh inshore region,”.

**446.** In section 168(1), after paragraph (b) insert—

*Status: Point in time view as at 01/04/2013.*

*Changes to legislation: There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)*

“(c) the Natural Resources Body for Wales.”

**447.**—(1) Section 232 is amended as follows.

(2) In subsection (1), for “the Environment Agency” substitute “ the appropriate agency ”.

(3) In subsection (5)—

(a) for “the Environment Agency”, in each place where it occurs, substitute “ the appropriate agency ”;

(b) in paragraphs (h)(iii) and (j), for “the Agency” substitute “ the appropriate agency ”.

(4) In subsection (8), in the appropriate place insert—

““appropriate agency” means—

(a) the Environment Agency, otherwise than in relation to Wales, and

(b) the Natural Resources Body for Wales, in relation to Wales;”.

**448.** In section 238(3), after paragraph (c) insert—

“(ca) byelaws made by the Natural Resources Body for Wales under Schedule 25 to the Water Resources Act 1991;”.

**449.** Omit section 313.

#### **Equality Act 2010 (c. 15)**

**450.**—(1) Schedule 19 to the Equality Act 2010 is amended as follows.

(2) In Part 2, omit “The Countryside Council for Wales or Cyngor Cefn Gwlad Cymru”.

(3) In Part 4, under the sub-heading “Cross-border Welsh authorities”, after the entry relating to the Environment Agency insert— “ The Natural Resources Body for Wales-A ”.

#### **Flood and Water Management Act 2010 (c. 29)**

**451.** The Flood and Water Management Act 2010 is amended as follows.

**452.**—(1) Section 6 is amended as follows.

(2) In subsection (13), after paragraph (a) insert—

“(aa) the Natural Resources Body for Wales;”.

(3) In subsection (15)(a), for “the Environment Agency” substitute “ the Natural Resources Body for Wales ”.

**453.** In section 11, after subsection (6) insert—

“(6A) In exercising a function in a manner which may affect a flood risk or coastal erosion risk in England, the Natural Resources Body for Wales must have regard to the national and local strategies and guidance.”

**454.** In section 12, after subsection (5) insert—

“(5A) In exercising a function in a manner which may affect a flood risk or coastal erosion risk in Wales, the Environment Agency must have regard to the national and local strategies and guidance.”

**455.** In section 13(8), after “the Environment Agency” insert “ or the Natural Resources Body for Wales ”.

**456.**—(1) Section 14 is amended as follows.



(2) In subsection (2)—

(a) at the end of paragraph (a) omit “and”;

(b) after paragraph (a) insert—

“(aa) the Natural Resources Body for Wales, and”.

**457.** In section 15(10)(b)(ii), for “the Environment Agency” substitute “ the Natural Resources Body for Wales ”.

**458.**—(1) Section 17 is amended as follows.

(2) In subsection (1), after “an area” insert “ in England ”.

(3) After subsection (1) insert—

“(1A) The Natural Resources Body for Wales may issue levies to the lead local flood authority for an area in Wales in respect of the Natural Resources Body for Wales' flood and coastal erosion risk management functions in that area.”

(4) In subsection (3), for “Agency shall” substitute “ Agency and the Natural Resources Body for Wales shall each ”.

**459.**—(1) Section 18 is amended as follows.

(2) In subsection (1), at the end insert “ in England ”.

(3) After subsection (1) insert—

“(1A) The Natural Resources Body for Wales must report to the Minister about flood and coastal erosion risk management in Wales.”

(4) Accordingly, the heading to section 18 becomes “ Reports about flood and coastal erosion risk management ”.

**460.**—(1) Section 22 is amended as follows.

(2) In subsection (1), for “Environment Agency” substitute “ appropriate agency ”.

(3) In subsection (2), for “Agency” substitute “ appropriate agency ”.

(4) After subsection (2) insert—

“(3) The functions of the appropriate agency under subsection (1)(a) are, in any case affecting both a region that is wholly or mainly in England and a region that is wholly or mainly in Wales, exercisable by the Environment Agency and the Natural Resources Body for Wales acting jointly.”

**461.**—(1) Section 23 is amended as follows.

(2) In subsection (1)—

(a) in the opening words, for “Environment Agency” substitute “ appropriate agency ”;

(b) in paragraph (a), for “Agency” substitute “ appropriate agency ”;

(c) in paragraph (b), for “Agency's” substitute “ appropriate agency's ”.

(3) In subsections (2) to (4), for “Agency” substitute “ appropriate agency ”.

**462.**—(1) Section 25 is amended as follows.

(2) In subsection (1), for “Environment Agency” substitute “ appropriate agency ”.

(3) In subsection (2), for “Agency” substitute “ appropriate agency ”.

**463.** After section 26 insert—

**Status:** Point in time view as at 01/04/2013.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1. (See end of Document for details)

**“26A “The appropriate agency”**

In this group of sections, “the appropriate agency” means—

- (a) the Environment Agency in relation to English Committees, and
- (b) the Natural Resources Body for Wales in relation to Welsh Committees.”

**464.**—(1) Section 38 is amended as follows.

(2) For “the Environment Agency” and “the Agency”, in each place where they occur, substitute “the appropriate agency”.

(3) In subsection (4), before paragraph (a) insert—

- “(za) the other appropriate agency, if—
  - (i) the work is carried out in its area, or
  - (ii) consequences of the kinds listed in subsection (1) are likely to occur in its area.”

(4) In subsection (6), for “Agency's” substitute “ appropriate agency's ”.

(5) After subsection (10) insert—

“(10A) In this section—

“the appropriate agency” means—

- (a) the Environment Agency, in relation to work for the benefit of England, and
- (b) the Natural Resources Body for Wales, in relation to work for the benefit of Wales;

“area”, in relation to an appropriate agency, means—

- (a) in the case of the Environment Agency, England, and
- (b) in the case of the Natural Resources Body for Wales, Wales.”

(6) Accordingly, in the heading to section 38, for “Environment Agency” substitute “ appropriate agency ”.

**465.**—(1) Section 39 is amended as follows.

(2) In subsections (4) and (8), for “Environment Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(3) After subsection (14) insert—

“(14A) In this section, “the appropriate agency” means—

- (a) the Environment Agency, in relation to work in England, and
- (b) the Natural Resources Body for Wales in relation to work in Wales.”

**466.**—(1) Schedule 1 is amended as follows.

(2) In paragraph 1, after paragraph (a) insert—

“(aa) the Natural Resources Body for Wales,”.

(3) In paragraph 6, after sub-paragraph (4) insert—

“(4A) Before exercising a function under this paragraph in relation to an alteration, removal or replacement which may affect a flood or coastal erosion risk in Wales, the Environment Agency must consult the Natural Resources Body for Wales.

(4B) Before exercising a function under this paragraph in relation to an alteration, removal or replacement which may affect a flood or coastal erosion risk in England, the Natural Resources Body for Wales must consult the Environment Agency.”

**467.**—(1) In Schedule 3, paragraph 11(3) is amended as follows.

(2) In paragraph (b), after “watercourse” insert “ in England ”.

(3) After paragraph (b) insert—

“(ba) the Natural Resources Body for Wales, if the drainage system directly or indirectly involves the discharge of water into a watercourse in Wales;”.

**468.**—(1) In Schedule 4, in the provisions to which this paragraph applies, for “the Environment Agency” and “the Agency”, in each place where they occur, substitute “ the appropriate agency ”.

(2) This paragraph applies to the following provisions in Schedule 4—

- (a) in paragraph 7, the sections 2A to 2D to be inserted into the Reservoirs Act 1975;
- (b) in paragraph 12(5), the section 10(3A) to be inserted into that Act;
- (c) in paragraph 25(5), the section 13(5) to be inserted into that Act;
- (d) in paragraph 33, the section 21A to be inserted into that Act;
- (e) in paragraph 36, the section 22C to be inserted into that Act.

**Status:**

Point in time view as at 01/04/2013.

**Changes to legislation:**

There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, PART 1 .