
WELSH STATUTORY INSTRUMENTS

2021 No. 1359 (W. 355)

LOCAL GOVERNMENT, WALES
ENVIRONMENTAL PROTECTION, WALES

The National Parks and Access to the Countryside Act
1949 (Meaning of Public Body) (Wales) Regulations 2021

Made	- - - -	<i>At 9.50 a.m. on 1 December 2021</i>
Coming into force	- -	<i>3 December 2021</i>

The Welsh Ministers make these Regulations in exercise of the powers conferred on them by sections 84(2)(a) and 174 of the Local Government and Elections (Wales) Act 2021(1).

A draft of this instrument has been laid before, and approved by a resolution of, Senedd Cymru in accordance with section 174(4) and (5)(1) of that Act.

Title and coming into force

1.—(1) The title of these Regulations is the National Parks and Access to the Countryside Act 1949 (Meaning of Public Body) (Wales) Regulations 2021.

(2) These Regulations come into force on 3 December 2021.

Amendment of section 11A of the National Parks and Access to the Countryside Act 1949

2.—(1) Section 11A (duty of certain bodies and persons to have regard to the purposes for which National Parks are designated) of the National Parks and Access to the Countryside Act 1949(2) is amended as follows.

(2) In subsection (4), in the definition of “public body”, after “local authority,” insert “corporate joint committee.”

(3) After subsection (6) insert—

“(7) In this section, “corporate joint committee” means a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021.”

(1) 2021 asc 1.

(2) 1949 c. 97. Section 11A was inserted by the Environment Act 1995 (c. 25), section 62(1) and amended by the Natural Environment and Rural Communities Act 2006 (c. 16), Schedule 12, paragraph 1 and the Environment Act 1995 (c. 25), Schedule 24, paragraph 1.

Status: This is the original version (as it was originally made).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

At 9.50 a.m. on 1st December 2021

Rebecca Evans
Minister for Finance and Local Government, one
of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend section 11A of the National Parks and Access to the Countryside Act 1949 (c. 97) (“the 1949 Act”). Section 11A(2) provides that when exercising or performing any function in relation to, or affecting, land in any National Park, a “relevant authority” must have regard to the purposes specified in section 5(1) of the 1949 Act.

The purposes in section 5(1) are conserving and enhancing the natural beauty, wildlife and cultural heritage and promoting opportunities for the understanding and enjoyment of the special qualities of National Parks by the public.

The authorities subject to this duty are defined in section 11A(3) and include “any public body”, the definition of which includes any “local authority, joint board or joint committee” (section 11A(4)).

These Regulations amend section 11A(4) so that corporate joint committees, established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021 (asc 1) (“the 2021 Act”), are included in the definition of “public body”. This results in corporate joint committees being subject to the duty in section 11A(2).

These Regulations are connected with regulations which established certain corporate joint committees under Part 5 of the 2021 Act.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to the regulations which establish corporate joint committees and connected orders and regulations. As a result, a regulatory impact assessment has been prepared. A copy can be obtained from the Local Government Strategic Finance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.