

SCHEDULE

Article 6(1)

CONSEQUENTIAL AMENDMENTS

Transport Act 1962 (c. 46)

1. In section 86(6A) of the Transport Act 1962(1), for paragraphs (a) and (b) there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”.

Parliamentary Commissioner Act 1967 (c. 13)

2. In Schedule 2 to the Parliamentary Commissioner Act 1967(2)—
- (a) the entries relating to the Department of the Environment and the Department of Transport are hereby repealed, and
 - (b) there shall be inserted at the appropriate place “The Department of the Environment, Transport and the Regions.”.

Transport Act 1968 (c. 73)

3. In section 137(7) of the Transport Act 1968(3)—
- (a) paragraph (a) is hereby repealed, and
 - (b) for paragraph (c) there shall be substituted—
 - “(c) in relation to the British Waterways Board or any other authority, means the Secretary of State for the Environment, Transport and the Regions.”.

Courts Act 1971 (c. 23)

4. In section 28 of the Courts Act 1971(4) for “Secretary of State for the Environment”, in both places it occurs, there shall be substituted “Secretary of State for the Environment, Transport and the Regions”.

Fair Trading Act 1973 (c. 41)

5. In section 51(3) of the Fair Trading Act 1973(5) for “the Secretary of State for the Environment, the Secretary of State for Transport” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”.

Road Traffic Regulation Act 1984 (c. 27)

6. The Road Traffic Regulation Act 1984 shall be amended as follows.

7. In section 7(6)(6) for “the Secretary of State for Transport” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”.

8. In Schedule 5—

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- (1) s.86(6A) was inserted by the Secretary of State for the Environment Order 1970, S.I. 1970/1681, Sched.3, para. 20(2); and amended by the Secretary of State for Transport Order 1976, S.I. 1976/1775, Art.6(1), Sched.3, para.6.
 - (2) Sched.2 was substituted by the Parliamentary and Health Service Commissioners Act 1987 (c. 39), s.1(2), Sched.1.
 - (3) s.137(7) was substituted by the Secretary of State for Transport Order 1976, S.I. 1976/1775, Art.6(1), Sched.3, para.8.
 - (4) s.28 was amended by the Planning (Consequential Provisions) Act 1990 (c. 11), s.4, Sched.2, para.25.
 - (5) s.51(3) was repealed, in part, by the Telecommunications Act 1984 (c. 12), s.109(6), Sched.7, Pt.I; and amended by the Railways Act 1993 (c. 43), s.66(2).
 - (6) s.7(6) was amended by the Road Traffic Act 1991 (c. 40), s.81, Sched.7, para.3.

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- (a) for “The Secretary of State for Transport”, in both places it occurs, there shall be substituted “The Secretary of State for the Environment, Transport and the Regions”, and
- (b) for “The Secretary of State for the Environment”, in each place it occurs, there shall be substituted “The Secretary of State for the Environment, Transport and the Regions”.

Airports Act 1986 (c. 31)

9. In Schedule 2 to the Airports Act 1986(7), in paragraph 1(2) for “the Secretary of State for Transport” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”.

Road Traffic Act 1988 (c. 52)

10. In section 36(5) of the Road Traffic Act 1988 for “the Secretary of State for Transport” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”.

Town and Country Planning Act 1990 (c. 8)

11. The Town and Country Planning Act 1990 shall be amended as follows.

12. In section 228 for “the Secretary of State for the Environment”, in both places it occurs, there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”.

13. In section 245(1) for “the Secretary of State for the Environment” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”.

14. In section 265(1)—

(a) paragraph (a) is hereby repealed, and

(b) for paragraph (d) there shall be substituted—

“(d) in relation to any other statutory undertakers or the Civil Aviation Authority, the Secretary of State for the Environment, Transport and the Regions”.

15. In paragraph 8(2) of Schedule 6, for “the Department of the Environment” there shall be substituted “the Department of the Environment, Transport and the Regions”.

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

16. In paragraph 7(2) of Schedule 3 to the Planning (Listed Buildings and Conservation Areas) Act 1990, for “the Department of the Environment” there shall be substituted “the Department of the Environment, Transport and the Regions”.

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

17. In paragraph 7(2) of the Schedule to the Planning (Hazardous Substances) Act 1990, for “the Department of the Environment” there shall be substituted “the Department of the Environment, Transport and the Regions”.

Water Resources Act 1991 (c. 57)

18. The Water Resources Act 1991 shall be amended as follows.

19. In section 21(3)(e)—

(7) para.1(2) was repealed, in part, by the Planning (Consequential Provisions) Act 1990 (c. 11), s.3, Sched.1, Pt.I.

- (a) after “if those waters” there shall be inserted “are wholly or partly situated in Wales (or in an area of the sea adjoining either the coast of Wales or an area of sea forming part of Wales) and they”, and
- (b) for “the Secretary of State for Transport” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”.

20. In Schedule 5, in paragraph 2(3)(f) for “the Secretary of State for Transport” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”.

21. In Schedule 6—

- (a) in paragraph 1(4)(g) for “the Secretary of State for Transport” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”, and
- (b) in paragraph 3(5)—
 - (i) after “tidal water” there shall be inserted “situated in Wales (or in an area of the sea adjoining either the coast of Wales or an area of sea forming part of Wales)”, and
 - (ii) for “the Secretary of State for Transport” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”.

Land Drainage Act 1991 (c. 59)

22. In section 35(3) of the Land Drainage Act 1991—

- (a) in paragraph (a) for “the Secretary of State for the Environment” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”, and
- (b) in paragraph (b) for “the Secretary of State for Transport” there shall be substituted “that Secretary of State”.

Transport and Works Act 1992 (c. 42)

23. In section 23(10) of the Transport and Works Act 1992—

- (a) for “the Department of Transport, the Department of the Environment” there shall be substituted “the Department of the Environment, Transport and the Regions”, and
- (b) for paragraphs (a) and (b) there shall be substituted—
 - “(a) if he was appointed by the Secretary of State for the time being having general responsibility in planning matters in relation to England and in transport matters, as functions of the Department of the Environment, Transport and the Regions;”.

Goods Vehicles (Licensing of Operators) Act 1995 (c. 23)

24. In section 49(2)(a) of the Goods Vehicles (Licensing of Operators) Act 1995 the words “for Transport” are hereby repealed.

Channel Tunnel Rail Link Act 1996 (c. 61)

25. The Channel Tunnel Rail Link Act 1996 shall be amended as follows.

26. In section 11—

- (a) in subsection (1) for “appropriate Ministers” there shall be substituted “Secretary of State”,
- (b) in subsection (3)(a) for “appropriate Ministers think” there shall be substituted “Secretary of State thinks”, and
- (c) in subsection (6) the definition of “the appropriate Ministers” is hereby repealed.

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27. In section 29(4) the words from “for the Environment” to “jointly” are hereby repealed.
28. In section 43(2) the words from “for the Environment” to “jointly” are hereby repealed.
29. In section 50(5)(b) for “the Secretary of State for Transport” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”.
30. In Schedule 3, in paragraph 2—
- (a) in sub-paragraph (2) for “appropriate Ministers” there shall be substituted “Secretary of State”,
 - (b) in sub-paragraph (3)—
 - (i) for “appropriate Ministers” there shall be substituted “Secretary of State”, and
 - (ii) for “they are” there shall be substituted “he is”,
 - (c) in sub-paragraph (4)—
 - (i) for “appropriate Ministers grant” there shall be substituted “Secretary of State grants”, and
 - (ii) for “they” there shall be substituted “he”,
 - (d) in sub-paragraph (8)—
 - (i) for “appropriate Ministers” there shall be substituted “Secretary of State”, and
 - (ii) for “them” there shall be substituted “him”.
 - (e) in sub-paragraph (9)—
 - (i) for “they direct” there shall be substituted “he directs”,
 - (ii) for “the appropriate Ministers' functions” there shall be substituted “the Secretary of State's functions”, and
 - (iii) for “them” in both places it occurs, there shall be substituted “him”, and
 - (f) sub-paragraph (12) is hereby repealed.
31. In Schedule 5, in paragraph 2—
- (a) in sub-paragraph (2) for “appropriate Ministers” there shall be substituted “Secretary of State”,
 - (b) in sub-paragraph (5)—
 - (i) for “appropriate Ministers ask” there shall be substituted “Secretary of State asks”,
 - (ii) for “them of their” there shall be substituted “him of his”, and
 - (iii) for “they” there shall be substituted “he”, and
 - (c) in sub-paragraph (8), the definition of “appropriate Ministers” is hereby repealed.
32. In Schedule 6—
- (a) in paragraph 11—
 - (i) in sub-paragraph (3) for “appropriate Ministers” there shall be substituted “Secretary of State”,
 - (ii) in sub-paragraph (4) for “appropriate Ministers ask” there shall be substituted “Secretary of State asks”,
 - (iii) in that sub-paragraph for “them of their” there shall be substituted “him of his”, and
 - (iv) in that sub-paragraph for “they” there shall be substituted “he”,
 - (b) in paragraph 19—

- (i) in sub-paragraph (3) for “appropriate Ministers” there shall be substituted “Secretary of State”,
 - (ii) in sub-paragraph (4) for “appropriate Ministers ask” there shall be substituted “Secretary of State asks”,
 - (iii) in that sub-paragraph for “them of their” there shall be substituted “him of his”, and
 - (iv) in that sub-paragraph for “they” there shall be substituted “he”,
- (c) in paragraph 30—
- (i) for “appropriate Ministers”, in each place it occurs, there shall be substituted “Secretary of State”, and
 - (ii) for “them”, in each place it occurs, there shall be substituted “him”,
- (d) in paragraph 31(1) for “appropriate Ministers” there shall be substituted “Secretary of State”.
- (e) in paragraph 32—
- (i) for “appropriate Ministers”, in each place it occurs, there shall be substituted “Secretary of State”, and
 - (ii) in sub-paragraph (1) for “them” there shall be substituted “him”,
- (f) paragraph 34 shall be amended as follows—
- (i) for “appropriate Ministers” in each place it occurs there shall be substituted “Secretary of State”,
 - (ii) in sub-paragraph (1) for “direct” there shall be substituted “directs”,
 - (iii) in that sub-paragraph for “their” there shall be substituted “his”,
 - (iv) in that sub-paragraph for “them”, in both places it occurs, there shall be substituted “him”,
 - (v) in sub-paragraph (6) for “determine” there shall be substituted “determines”,
 - (vi) in that sub-paragraph for “they” there shall be substituted “he”, and
 - (vii) in that sub-paragraph for “them” there shall be substituted “him”,
- (g) in paragraph 35 for “appropriate Ministers” there shall be substituted “Secretary of State”,
- (h) in paragraph 36—
- (i) for “appropriate Ministers”, in both places it occurs, there shall be substituted “Secretary of State”, and
 - (ii) in sub-paragraph (2) for “they think” there shall be substituted “he thinks”, and
- (j) in paragraph 38(2), paragraph (a) is hereby repealed.
- 33.** In Schedule 7, in paragraph 5—
- (a) in sub-paragraph (4) for “the appropriate Ministers acting jointly” there shall be substituted “the appropriate Minister”, and
 - (b) in sub-paragraph (5)—
 - (i) for “Ministers” there shall be substituted “Minister”,
 - (ii) in paragraph (a) for “the Secretary of State for Transport” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions acting jointly”, and
 - (iii) in paragraph (b) for “the Secretary of State for the Environment and the Secretary of State for Transport” there shall be substituted “the Secretary of State”.

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34. In Schedule 14, in paragraph 13 for “the Secretary of State for Transport” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”.

35. In Schedule 15, in Part II, in paragraph 2—

(a) in sub-paragraph (2) for “the appropriate Ministers” there shall be substituted “the appropriate Minister”,

(b) in sub-paragraph (3) for “the appropriate Ministers certify” there shall be substituted “the appropriate Minister certifies”, and

(c) for sub-paragraph (4) there shall be substituted—

“(4) In this paragraph, “appropriate Minister” means—

(a) in cases relating to apparatus belonging to, or maintained by, electricity or gas undertakers, the Secretary of State for the Environment, Transport and the Regions and the Secretary of State for Trade and Industry acting jointly, and

(b) in any other case, the Secretary of State.”

36. In Schedule 15, in Part III, in paragraph 12—

(a) in sub-paragraph (1) for “the appropriate Ministers acting jointly” there shall be substituted “the appropriate Minister”, and

(b) for sub-paragraph (2) there shall be substituted—

“(2) In sub-paragraph (1) above, the reference to the appropriate Minister—

(a) in the case of a dispute concerning fisheries, flood defence or land drainage is to the Secretary of State and the Minister of Agriculture, Fisheries and Food acting jointly, and

(b) in the case of any other dispute, is to the Secretary of State.”

37. In Schedule 15, in Part VI, in paragraph 11—

(a) in sub-paragraph (1) for “the appropriate Ministers acting jointly” there shall be substituted “the appropriate Minister”, and

(b) for sub-paragraph (2) there shall be substituted—

“(2) In sub-paragraph (1) above, the reference to the appropriate Minister—

(a) in the case of a dispute concerning land drainage or flood defence, is to the Secretary of State and the Minister of Agriculture, Fisheries and Food acting jointly, and

(b) in the case of any other dispute, is to the Secretary of State.”

Town and Country Planning (Scotland) Act 1997 (c. 8)

38. The Town and Country Planning (Scotland) Act 1997 shall be amended as follows.

39. In section 217(1)—

(a) paragraph (a) is hereby repealed, and

(b) for paragraph (d) there shall be substituted—

“(d) in relation to any other statutory undertakers or the Civil Aviation Authority, the Secretary of State for the Environment, Transport and the Regions.”

40. In Schedule 7—

(a) in paragraph 3(8) for “the Secretary of State for the Environment” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”, and

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- (b) in paragraph 8(4)(b) for “the Secretary of State for the Environment” there shall be substituted “the Secretary of State for the Environment, Transport and the Regions”.