

SCHEDULES

SCHEDULE 8

AMENDMENT OF ENACTMENTS RELATING TO COUNTRYSIDE MATTERS

The Countryside Act 1968 (c. 41)

- 2 (1) The Countryside Act 1968 shall be amended as follows.
- (2) In section 1 (additional general functions)—
- (a) for subsection (1) there shall be substituted the following subsections—
- “(1) The National Parks Commission shall in future be known as the “Countryside Commission” and shall exercise functions in relation to England.
- (1A) The functions of the Countryside Commission (in this Act referred to as “the Commission”) in England and the corresponding functions of the Countryside Council for Wales (in this Act referred to as “the Council”) in Wales shall be enlarged in accordance with this Act.”;
- (b) in subsection (2)—
- (i) after the word “recreation” there shall be inserted the words “and the study of nature”; and
- (ii) at the end, there shall be inserted the words “; and the purposes for which the functions of the Council in Wales are to be exercised are the corresponding purposes specified in section 130(2) of the Environmental Protection Act 1990.”;
- (c) in subsection (3) for the word “shall” there shall be substituted the words “and the Council shall each”.
- (3) In section 2 (new functions)—
- (a) in subsection (1), for the word “shall” where it first appears there shall be substituted the words “and the Council shall each” and after the word “Commission” in the second and third place it appears there shall be inserted the words “or Council”;
- (b) in subsections (2) and (3), after the word “Commission” where it first appears there shall be inserted the words “and the Council” and after that word in the second place it appears there shall be inserted the words “or Council”;
- (c) in subsection (4), after the word “Commission” where it first appears there shall be inserted the words “and the Council” and after that word in the second and third place it appears there shall be inserted the words “or Council”;
- (d) in subsection (5), after the word “Commission” where it first appears there shall be inserted the words “or to the Council” and after that word in the second place it appears there shall be inserted the words “or , as the case may be, the Council”;

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- (e) in subsection (5)(b), after the word “Commission” in each place it appears there shall be inserted the words “or Council”;
 - (f) in subsection (6) after the word “Commission” there shall be inserted the words “and the Council”;
 - (g) in subsections (7), (8) and (9), after the word “Commission” where it first appears there shall be inserted the words “and the Council” and after that word in the second place it appears there shall be inserted the words “or Council”.
- (4) In section 4 (experimental projects or schemes)—
- (a) in subsection (1), after the word “Commission” where it first appears there shall be inserted the words “and the Council” and after that word in the second place it appears there shall be inserted the words “or Council”;
 - (b) in subsection (3) after the word “Commission” there shall be inserted the words “or, as the case may be, the Council”;
 - (c) in subsection (4) after the word “Commission” there shall be inserted the words “or Council”;
 - (d) in subsection (5) after the word “Commission” where it first appears there shall be inserted the words “or by the Council” and after that word in the second place it appears there shall be inserted the words “or Council”;
 - (e) in subsection (6), after the word “Commission” where it first appears there shall be inserted the words “or of the Council” and after that word in the second place it appears there shall be inserted the words “or Council”.
- (5) In section 8 (sailing, boating and fishing in country parks), in subsection (5) after the word “Commission” there shall be inserted the words “(if the works are in England) or the Council (if the works are in Wales)”.
- (6) In section 12 (facilities in or near National Parks)—
- (a) in subsection (1) after the word “Commission” where it first appears there shall be inserted the words “or, as the case may be, the Council” and after that word in the second place it appears there shall be inserted the words “or the Council”;
 - (b) in subsection (5) after the word “Commission” there shall be inserted the words “(if the National Park is in England) or the Council (if the National Park is in Wales)”.
- (7) In section 13 (control of boats etc. in National Parks) in subsection (4), after the word “Commission” there shall be inserted the words “(if the National Park is in England) or the Council (if the National Park is in Wales)”.
- (8) In section 23 (provision of facilities by Forestry Commissioners), in subsection (5) for the word “shall” there shall be inserted the words “and the Countryside Council for Wales shall each”.
- (9) In section 38 (avoidance of pollution) after the words “the Commission” there shall be inserted the words “, the Council”.
- (10) In section 41 (byelaws etc.)—
- (a) in subsection (2), for the word “may” there shall be substituted the words “and the Council may each”;

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- (b) in subsection (5), after the word “Commission” there shall be inserted the words “(as respects a park or area in England) or the Council (as respects a park or area in Wales)”;
 - (c) in subsection (8), for the words “were a local authority” there shall be substituted the words “and the Council were local authorities”;
 - (d) in subsection (9), for the words “or the Commission” there shall be substituted the words “, the Commission or the Council”.
- (11) In section 45 (agreements with landowners), in subsection (1) after the word “Commission” there shall be inserted the words “, the Council”.
- (12) In section 46 (application of general provisions of 1949 Act), in subsection (2), at the end there shall be inserted “and any reference to the Nature Conservancy Council, so far as referring to the Countryside Council for Wales for purposes connected with their nature conservation functions (within the meaning of section 131 of the Environmental Protection Act 1990) shall include a reference to that Council for purposes connected with their countryside functions (whether conferred by this Act, the Act of 1949 or otherwise.)”.
- (13) In section 49 (interpretation), after the definition of “bridleway” there shall be inserted the following definitions—
- ““the Commission” means the Countryside Commission;
 - ““the Council” means the Countryside Council for Wales;””