



Natural Environment and Rural Communities Act 2006

2006 CHAPTER 16

PART 1

NATURAL ENGLAND AND THE COMMISSION FOR RURAL COMMUNITIES

CHAPTER 3

SUPPLEMENTARY

Transfer schemes etc.

26 Transfers on dissolution of English Nature and Countryside Agency

- (1) The power conferred by subsection (2) is exercisable in connection with the dissolution of English Nature and the Countryside Agency.
- (2) The Secretary of State may make one or more schemes for the transfer of designated property, rights or liabilities of English Nature or the Countryside Agency to—
 - (a) Natural England,
 - (b) the Commission,
 - (c) a regional development agency, or
 - (d) a Minister of the Crown.
- (3) On the transfer date, the designated property, rights or liabilities are transferred and vest in accordance with the scheme.
- (4) A regional development agency is an agency established under section 1 of the Regional Development Agencies Act 1998 (c. 45).

27 Continuing powers to make transfer schemes

- (1) The powers conferred by this section are exercisable in connection with the efficient management for public purposes of any property, rights or liabilities.
- (2) The Secretary of State may at any time make one or more schemes for the transfer of designated property, rights or liabilities of a Minister of the Crown to—
 - (a) Natural England,
 - (b) the Commission, or
 - (c) a person acting on behalf of Natural England and the Commission.
- (3) The Secretary of State may at any time make one or more schemes for the transfer of designated property, rights or liabilities of—
 - (a) Natural England, or
 - (b) the Commission,
 to a Minister of the Crown.
- (4) On the transfer date, the designated property, rights or liabilities are transferred and vest in accordance with the scheme.

28 Transfer schemes: supplementary

- (1) Schedule 3 contains further provisions relating to the making of schemes under sections 26 and 27.
- (2) In sections 26 and 27 and Schedule 3—

“designated” in relation to a scheme, means specified in or determined in accordance with the scheme;

“the transfer date” means a date specified by a scheme as the date on which the scheme is to have effect.

29 Interim arrangements

The Secretary of State may by written notice require English Nature or the Countryside Agency to provide staff, premises and other facilities on a temporary basis to—

- (a) Natural England, or
- (b) the Commission.

Interpretation

30 Interpretation

- (1) In this Part—

“the Commission” means the Commission for Rural Communities;

“Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975 (c. 26);

“nature conservation” means the conservation of flora, fauna or geological or physiographical features;

“research” includes inquiries and investigations.
- (2) For the purposes of this Part, a public authority is any of the following—

Status: This is the original version (as it was originally enacted).

- (a) a Minister of the Crown;
 - (b) a public body (including a government department, a local authority and a local planning authority);
 - (c) a person holding an office—
 - (i) under the Crown,
 - (ii) created or continued in existence by a public general Act, or
 - (iii) the remuneration in respect of which is paid out of money provided by Parliament;
 - (d) a statutory undertaker.
- (3) In subsection (2)—
- “local authority” means a county council, a district council, a parish council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly;
- “local planning authority” has the same meaning as in the Town and Country Planning Act 1990 (c. 8);
- “statutory undertaker” means a person who is or is deemed to be a statutory undertaker for the purposes of any provision of Part 11 of the Town and Country Planning Act 1990.