
STATUTORY INSTRUMENTS

2011 No. 2204

**The Flood and Water Management Act 2010 (Commencement
No. 4 and Transitional Provisions) Order 2011**

Transitional provisions

5.—(1) Despite the amendments made by paragraphs 1 to 24 of Schedule 2 to the 2010 Act, the provisions of the Coast Protection Act 1949(1) as in force immediately before 1st October 2011 in relation to Wales continue to apply to any coast protection work started in relation to Wales before that date.

(2) Despite the amendment made by paragraph 30 of Schedule 2 to the 2010 Act, section 17 of the Land Drainage Act 1991(2) continues to apply to a local authority for an area in Wales unless the lead local flood authority for that area has published a summary of its local flood risk management strategy under section 10(7) of the 2010 Act.

(3) In this article—

“coast protection work” has the meaning given in section 49(1) of the Coast Protection Act 1949 as in force immediately before 1st October 2011 in relation to Wales; and

“local authority” has the meaning given in section 72(1) of the Land Drainage Act 1991.

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- (1) 1949 c. 74. The provisions of the Coast Protection Act 1949 affected by paragraphs 1 to 24 of Schedule 2 to the Flood and Water Management Act 2010 have been previously amended by the Water Resources Act 1963 (c. 38), the Courts Act 1971 (c. 23), the Local Government Act 1972 (c. 70), the Local Land Charges Act 1975 (c. 76), the Local Government, Planning and Land Act 1980 (c. 65), the Southern Water Authority Act 1980, the Acquisition of Land Act 1981 (c. 67), the Criminal Justice Act 1982 (c. 48), the Water Act 1989 (c. 15), the Transport and Works Act 1992 (c. 42), the Criminal Justice Act 2003 (c. 44), the Marine and Coastal Access Act 2009 (c. 23) and S.I. 1955/554, 1985/442, 1991/1730, 1996/593, 1999/1820 and 2009/1307. The functions conferred on the Secretary of State were transferred to the National Assembly for Wales by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). Those functions are now exercisable by the Welsh Ministers by virtue of section 162 of and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
- (2) 1991 c. 59. Section 17 was amended by the Environment Act 1995 (c. 25), section 120 and Schedule 22, paragraph 191.