WELSH STATUTORY INSTRUMENTS

2006 No. 980 (W.103)

LAND DRAINAGE, WALES

The Welsh Regional Flood Defence Committee (Composition) Order 2006

Made - - - - 29 March 2006

Coming into force in accordance with article 1(1)

The National Assembly for Wales, in exercise of the powers conferred upon it by section 16A of the Environment Act 1995(**1**) makes the following Order:

Title, commencement and interpretation

1.—(1) The title of this Order is the Welsh Regional Flood Defence Committee (Composition) Order 2006 and it comes into force on the coming into force of the 2005 Order(**2**).

(2) In this Order—

"the 1995 Act" ("*Deddf 1995*") means the Environment Act 1995;

"the 2005 Order" ("*Gorchymyn 2005*") means the North-West, Severn-Trent and Welsh Regional Flood Defence Committees (Boundaries Alteration) Order 2005(**3**);

"the Agency" ("*yr Asiantaeth*") means the Environment Agency;

"the Assembly" ("*y Cynulliad*") means the National Assembly for Wales;

"the committee" ("*y pwyllgor*") means the Welsh Regional Flood Defence Committee, being the regional flood defence committee established by section 14 of the 1995 Act and for which the councils for the county boroughs and counties specified in the Schedule to this Order are the constituent councils.

Composition

2.—(1) The committee consists of the following, none of whom may be a member of the Agency, that is to say—

(a) a chairperson and seven other members appointed by the Assembly;

(**1**) 1995 c. 25. Section 16A was inserted by section 67 of the Water Act 2003 (c. 37) (Membership of regional flood defence committees in Wales).
(**2**) The 2005 Order was made on 24 September 2005, laid before Parliament on 3 November 2005 and comes into force on 1 April 2006.
(**3**) S.I 2005/3047.

(b) two members appointed by the Agency; and

(c) one member appointed by or on behalf of each group specified in column 1 of the Schedule, the constituent councils of which are those for the counties and county boroughs specified in column 2 of the Schedule.

(2) The appointments under paragraph (1)(c) are to be made by the councils in each group acting jointly in respect of the member appointed for that group.

(3) Where the councils specified in any group in the Schedule are unable to make an appointment under paragraph (1)(c), the Assembly may appoint a member for that group on behalf of those councils.

(4) In appointing a person to be the chairperson or a member of the committee, the Assembly or, as the case may be, a constituent council must have regard to the desirability of appointing a person who has experience of, and has shown capacity in, some matter relevant to the functions of the committee.

Transitional

3. For the purposes of the first appointment made by each group under article 2(1)(c) or on behalf of each group under article 2(3), paragraph 1 (3) of Schedule 5 to the 1995 Act (term of office of members appointed by constituent councils) has effect with these modifications—

(a) for "June" substitute "April"; and

(b) for "a term of four years" substitute "a term ending with 31 May 2010".

Revocation

4. The Regional Flood Defence Committee (Welsh Region) Order 1996(**4**) is revoked.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**5**)

D. Elis-Thomas
29 March 2006 — The Presiding Officer of the National Assembly

(**4**) S.I. 1996/538 (as amended by S.I. 1996/1007 and S.I 2005/3047).
(**5**) 1999 c. 38.