STATUTORY INSTRUMENTS

2015 No. 663

WATER, ENGLAND AND WALES
ANIMALS, ENGLAND
ANIMAL HEALTH
MARINE POLLUTION, ENGLAND
ENVIRONMENTAL PROTECTION, ENGLAND

The Water, Animals, Marine Pollution and Environmental Protection (Miscellaneous Revocations) Order 2015

Made - - - -	*5th March 2015*
Laid before Parliament	*12th March 2015*
Coming into force - -	*1st July 2015*

The Secretary of State is designated(**1**) for the purposes of section 2(2) of the European Communities Act 1972(**2**) in relation to the common agricultural policy.

The Secretary of State makes the following Order in exercise of the powers conferred by section 2(2) of the European Communities Act 1972, section 5 of the Water Industry Act 1991(**3**), section 9(1) of the Environment Act 1995(**4**), section 5 of the Fur Farming (Prohibition) Act 2000(**5**) and section 74 of the Marine and Coastal Access Act 2009(**6**).

(**1**) S.I. 1972/1811.

(**2**) 1972 c. 68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and by Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c.7).

(**3**) 1991 c. 56; section 5 was amended by the Environment Act 1995 (c.25), Schedule 22, paragraph 98, the Natural Environment and Rural Communities Act 2006 (c. 16), Schedule 11, Part 1, paragraph 130 and by S.I. 2002/794 and 2013/755. The instrument listed in article 2 of this Order was made under section 10 of the Water Act 1989 (c. 15) ("the Water Act"). It approved a code containing guidance to the National Rivers Authority (the predecessor body to the Environment Agency and the Natural Resources Body for Wales) and to water undertakers and sewerage undertakers about matters for which sections 8 and 9 of the Water Act had effect. Sections 8 and 9 of the Water Act were repealed by the Water Consolidation (Consequential Provisions) Act 1991 (c. 60) ("the Consolidation Act"), Schedule 3, Part 1, and replaced by corresponding provisions in the Water Resources Act 1991 (c. 57), section 18, and the Water Industry Act 1991, section 5. Paragraph 1 of Schedule 2 to the Consolidation Act provides that any subordinate legislation made under section 10 of the Water Act has effect as if made under these sections. Section 18 of the Water Resources Act 1991 was subsequently repealed by the Environment Act 1995, Schedule 22, paragraph 131 and Schedule 24 and re-enacted by section 9 of that Act.

(**4**) 1995 c. 25; section 9(1) was amended by S.I. 2013/755. See section 56 for the definition of "the appropriate national authority".

(**5**) 2000 c. 33; see section 6 for the definition of "the appropriate authority". Section 5 was amended by S.I. 2002/794 and 2009/1307.

(**6**) 2009 c. 23; the Marine and Coastal Access Act 2009 ("the 2009 Act") repeals and re-enacts the powers of the Secretary of State under section 7 of the Food and Environment Protection Act 1985 (c. 48) (except in relation to Scotland) following which the instrument listed in article 4 of this Order has effect, by virtue of section 17(2) of the Interpretation Act 1978 (c. 30), as if made under section 74 of the 2009 Act. See section 113 of the 2009 Act for the definition of "the appropriate licensing authority".

In deciding to make this Order, the Secretary of State has had regard to the matters mentioned in section 74(4) of the Marine and Coastal Access Act 2009.

The Secretary of State makes the Order after consulting in accordance with section 5(4) of the Water Industry Act 1991, section 9(3) of the Environment Act 1995(**7**), section 5(4) of the Fur Farming (Prohibition) Act 2000 and section 74(5) of the Marine and Coastal Access Act 2009.

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Water, Animals, Marine Pollution and Environmental Protection (Miscellaneous Revocations) Order 2015 and comes into force on 1st July 2015.

(2) This Order extends to England and Wales.

(3) Article 2 applies in relation to England and Wales.

(4) Articles 3 to 5 apply in relation to England only.

Water

2. The Water and Sewerage (Conservation, Access and Recreation) (Code of Practice) Order 1989(**8**) is revoked, so far as it applies in relation to the Environment Agency and to water undertakers and sewerage undertakers whose area of appointment is wholly or mainly in England.

Animals

3. The following Orders are revoked—

(a) the Sheep and Goats Spongiform Encephalopathy (England and Wales) (Compensation) (Amendment) Order 2001(**9**);

(b) the Fur Farming (Compensation Scheme) (England) Order 2004(**10**).

Marine pollution

4. The Deposits in the Sea (Exemptions) (Amendment) (England and Wales) Order 2010(**11**) is revoked.

Environmental protection

5. The Code of Practice on Environmental Procedures for Flood Defence Operating Authorities (Environment Agency and Natural Resources Body for Wales) Approval Order 1996(**12**) is revoked.

(**7**) Section 9(3) was amended by the Natural Environment and Rural Communities Act 2006 (c. 16), Schedule 11, Part 1, paragraph 142 and by S.I. 2013/755.
(**8**) S.I. 1989/1152, amended by the Environment Act 1995, Schedule 22, paragraph 233(1).
(**9**) S.I. 2001/3749.
(**10**) S.I. 2004/1964, amended by S.I. 2006/2739, 2009/1307 and 2012/632.
(**11**) S.I. 2010/304.
(**12**) S.I. 1996/3061, amended by S.I. 2013/755.