Draft Order laid before Parliament under section 11 of the Public Bodies Act 2011, for approval by resolution of each House of Parliament after the expiry of the 40-day period referred to in section 11(4) of that Act.

DRAFT STATUTORY INSTRUMENTS

2012 No. 0000

CANALS AND INLAND WATERWAYS PUBLIC BODIES

The Inland Waterways Advisory Council (Abolition) Order 2012

Made - - - - ***

Coming into force in accordance with article 1

The Secretary of State, in exercise of the powers conferred by sections 1(1), 6(1) and 35(2) of the Public Bodies Act 2011(**1**) ("the Act"), makes this Order.

In accordance with section 8 of the Act, the Secretary of State considers that this Order—

(a) serves the purpose of improving the exercise of public functions, having had regard to the factors set out in section 8(1) of the Act; and

(b) does not remove any necessary protection or prevent any person from continuing to exercise any right or freedom which that person might reasonably expect to continue to exercise.

The Secretary of State has carried out consultation in accordance with section 10 of the Act.

The Secretary of State has consulted the Scottish Ministers in accordance with section 88(2) of the Scotland Act 1998(**2**).

The Secretary of State has consulted the Welsh Ministers in accordance with section 63(1) of the Government of Wales Act 2006(**3**).

The Scottish Parliament has consented to the making of this Order in so far as its consent is required by section 9(1) of the Act.

A draft of this Order, and an explanatory document containing the information required by section 11(2) of the Act, have been laid before Parliament in accordance with section 11(1) after the end of the period of twelve weeks mentioned in section 11(3).

In accordance with section 11(4) of the Act, the draft of this Order has been approved by a resolution of each House of Parliament after the expiry of the 40-day period referred to in that provision.

(**1**) 2011 c. 24.
(**2**) 1998 c. 46.
(**3**) 2006 c. 32.

Citation and commencement

1. This Order—

(a) may be cited as the Inland Waterways Advisory Council (Abolition) Order 2012; and

(b) comes into force on the day after the day on which it is made.

Extent

2. The amendment made by article 4 and the repeals and revocations made by article 5 and the Schedule have the same extent as the provisions to which they relate.

Abolition of the Inland Waterways Advisory Council

3. The body established by section 110 of the Transport Act 1968(**4**) is abolished.

Consequential amendment of the British Waterways Act 1995

4. For paragraph 12 (standards appeal panel) of Part 2 of Schedule 2 to the British Waterways Act 1995(**5**) substitute—

"**12.**—(1) In England and Wales there is to be a standards appeal panel for the purpose of determining appeals under paragraph 13 below consisting of two persons appointed by Canal & River Trust(**6**), and one by each of the following—

(a) the Inland Waterways Association;

(b) the Royal Yachting Association; and

(c) the British Marine Federation.

(2) In Scotland there is to be a standards appeal panel for the purpose of determining appeals under paragraph 13 below consisting of one person appointed by each of the following—

(a) the Board;

(b) the Royal Yachting Association; and

(c) the British Marine Federation".

Repeals and revocations

5. The provisions mentioned in the Schedule are repealed or revoked to the extent specified.

(**4**) 1968 c. 73. Section 110 was substituted by section 74 of the Natural Environment and Rural Communities Act 2006 (c. 16). The body established by section 110 was (as originally established) known as the Inland Waterways Amenity Advisory Council, and by virtue of section 73 of the 2006 Act is known as the Inland Waterways Advisory Council.

(**5**) 1995 c. i.

(**6**) The British Waterways Board (Transfer of Functions) Order 2012 (S.I. 2012/****) transfers functions, so far as exercisable in relation to England and Wales, from the British Waterways Board to Canal & River Trust and makes consequential amendments and repeals relating to the continued existence of the British Waterways Board as a statutory corporation in relation to Scotland.

Name
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

Date