
DRAFT STATUTORY INSTRUMENTS

2013 No.

The Natural Resources Body for Wales
(Consequential Provision) Order 2013

PART 3

Environment Agency: constitutional and funding arrangements and general provisions

Appointment of members: removal of functions of Welsh Ministers

5. Functions under section 1 of, and Schedule 1 to, the 1995 Act, so far as exercisable by the Welsh Ministers⁽¹⁾, are transferred to the Secretary of State.

(1) The function under section 1(2)(b) is exercisable by the Welsh Ministers to the extent that they may make such appointments as will ensure that there is at all times one member of the Environment Agency appointed by them. Functions of the “appropriate Minister” under Schedule 1 are exercisable by the Welsh Ministers to the extent that they relate to any member appointed by them. *See* the entry relating to the 1995 Act in Schedule 1 to the 1999 Order, and section 162 of, and paragraph 30 of Schedule 11 to, the 2006 Act. In relation to any other member of the Environment Agency, functions of “the Minister” and “the appropriate Minister” under section 1 and Schedule 1 are exercisable by the Secretary of State: *see* articles 1 and 2 of the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794) (“the 2002 Order”). The effect of the 2002 Order and article 5 of this Order is that functions in relation to all members of the Agency become exercisable only by the Secretary of State.