
DRAFT STATUTORY INSTRUMENTS

2013 No.

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

PART 4

Forestry Commissioners: constitutional and funding arrangements

Abolition of the National Committee for Wales

- 12.**—(1) The 1967 Act is amended as follows.
- (2) In section 2(3), for “England, Scotland and Wales” substitute “England and Scotland”.
- (3) In Schedule 1, in paragraph 7(2)(1), omit “or Wales”.

Funding arrangements: removal of functions of Welsh Ministers

- 13.**—(1) Functions under section 41 of the 1967 Act(2), so far as exercisable by the Welsh Ministers, are transferred to the Secretary of State.
- (2) In section 41 of the 1967 Act—
- (a) for “Minister”, in each place where it occurs, substitute “Secretary of State”;
- (b) in subsection (7)(a), after “exchange of land” insert “in England”.

Remuneration and superannuation: removal of functions of Welsh Ministers

- 14.**—(1) Functions under Schedule 1 to the 1967 Act(3), so far as exercisable by the Welsh Ministers, are transferred to the Secretary of State.
- (2) The function of the Treasury under paragraph 6(1) of Schedule 1 to the 1967 Act is exercisable free from any requirement to consult the Welsh Ministers(4).

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- (1) Amended by [S.I. 1999/1747](#), [2000/746](#).
- (2) The functions of the “the Minister” were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the 1999 Order. Those functions were transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the 2006 Act. So far as exercisable otherwise than in relation to Wales, the functions are exercisable by the Secretary of State: *see* articles 1 and 2 of the 2002 Order. The effect of the 2002 Order and article 13(1) of this Order is that those functions become exercisable only by the Secretary of State.
- (3) The functions of “the Ministers” under paragraphs 6(2), 9(1) and 10(1) of Schedule 1 were, so far as exercisable by the Secretary of State in relation to Wales, transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the 1999 Order. Those functions were transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the 2006 Act. So far as not transferred by the 1999 Order, the functions were transferred to the Secretary of State by articles 1, 2 and 3(5) of the 2002 Order. The effect of the 2002 Order and article 14 of this Order is that those functions become exercisable only by the Secretary of State. Functions under paragraph 7(2) of Schedule 1 were transferred only to the extent that they relate to a committee for Wales appointed under section 2(3) of the 1967 Act; *see* the amendments to section 2(3) and paragraph 7(2) of Schedule 1 made by article 12 of this Order, which abolish that committee.
- (4) The function of the Treasury under paragraph 6(1) was transferred to the Minister for the Civil Service by article 2(2) of the Transfer of Functions (Treasury and Minister for the Civil Service) Order 1995 ([S.I. 1995/269](#)). In relation to Wales, the function was made exercisable only after consulting the National Assembly for Wales by article 5(1) of, and Schedule 2 to, the 1999 Order (*see* the entry in Schedule 2 relating to the 1967 Act). The function of being consulted was transferred to the

Repeal of provisions of 1998 Act relating to Welsh functions of the Forestry Commissioners

- 15.**—(1) The 1998 Act is amended as follows.
- (2) Omit section 105 and paragraphs 3 to 11 of Schedule 7**(5)**.
- (3) In section 154—
- (a) in subsection (3)(b) omit “or paragraph 1 of Schedule 7”;
 - (b) in subsection (6)(a) omit “, paragraph 1 of Schedule 7”.

Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the 2006 Act. The entry relating to the 1967 Act in Schedule 2 to the 1999 Order is revoked by article 29(3) of this Order.

(5) Schedule 7 was amended by [W.S.I. 2013/755 \(W. 90\)](#); there are other amendments to section 105 and Schedule 7 that are not relevant to this Order. The effect of article 15 is to remove Welsh Ministers’ and the Auditor General for Wales’ involvement in relation to the funding arrangements and financial accountability of the Forestry Commissioners; but see the transitional provision in article 27 of this Order.