

*Status: Point in time view as at 05/01/1994.*

*Changes to legislation: Environmental Protection Act 1990, Cross Heading: Preliminary is up to date with all changes known to be in force on or before 29 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 11 **E+W+S**

#### TRANSITIONAL PROVISIONS AND SAVINGS FOR PART VII

#### **PART II E+W+S**

##### NATURE CONSERVATION FUNCTIONS

###### *Preliminary*

- 6 In this Part of this Schedule—
- “appointed day” means the date appointed under section 131(3) of this Act;
  - “appropriate new council” shall be construed in accordance with paragraph 7 below; and
  - “new council” means a council established by section 128(1) of this Act.
- 7 (1) In this Part of this Schedule a reference to “the appropriate new council” is, in relation to or to things done in connection with property, rights or liabilities of the Nature Conservancy Council which are transferred by section 135(2) of this Act to a new council, a reference to that new council.
- (2) Subject to sub-paragraph (1) above, a reference in this Part of this Schedule to “the appropriate new council” is, in relation to anything else done before the appointed day by or in relation to the Nature Conservancy Council in the exercise of or in connection with any function of theirs (other than a function corresponding to a special function of the new councils)—
- (a) a reference to the new council by whom the nature conservation function corresponding to that function is exercisable on and after that date; or
  - (b) where the thing done relates to a matter affecting the area of more than one new council, a reference to each new council by whom the nature conservation function corresponding to that function is exercisable on and after that date;
- and in relation to anything done in the exercise of or in connection with any function of the Nature Conservancy Council corresponding to a special function of the new councils a reference to “the appropriate new council” is a reference to the joint committee or, where directions under section 133(5) of this Act have been given, the new council by whom the corresponding special function is dischargeable (on behalf of the new councils) on and after that day.
- (3) Any question arising under this paragraph as to which new council is the appropriate new council in relation to any particular function of the Nature Conservancy Council may be determined by a direction given by the Secretary of State.

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