

SCHEDULE 7

TRANSITIONAL PROVISIONS AND SAVINGS

PART 2

Directions

General directions

5.—(1) A direction which was given under section 3(1) of the National Parks and Access to the Countryside Act 1949⁽¹⁾ or section 131(4) of the 1990 Act before the transfer date is to be treated on and after the transfer date as a direction given to the Body under article 11(1) of the Establishment Order.

(2) A direction which was given for the purposes of section 1(4) of the Forestry Act 1967⁽²⁾ before the transfer date is, to the extent that it applies in relation to a function that becomes exercisable by the Body by virtue of any provision made by this Order, to be treated on and after the transfer date as a direction given to the Body under article 11(1) of the Establishment Order.

(3) A direction which was given under section 40(1) of the 1995 Act before the transfer date is, to the extent that it applies in relation to a transferred function, to be treated on and after the transfer date as a direction given to the Body under article 11(1) of the Establishment Order.

(4) A direction which was given under section 40(2) of the 1995 Act before the transfer date is, to the extent that it applies in relation to Wales, to be treated on and after the transfer date as a direction given to the Body under article 11(3) of the Establishment Order (as substituted by this Order), but this is subject to any provision made by this Part in relation to particular directions.

The River Basin Districts Surface Water and Groundwater Classification (Water Framework Directive) (England and Wales) Direction 2009

6.—(1) The River Basin Districts Surface Water and Groundwater Classification (Water Framework Directive) (England and Wales) Direction 2009 is to be treated on and after the transfer date as a direction given to the appropriate agency—

- (a) under article 11(3) of the Establishment Order (as substituted by this Order) in so far as the direction applies where the appropriate agency is the Natural Resources Body for Wales;
- (b) under section 40(2) of the 1995 Act in so far as the direction applies where the appropriate agency is the Environment Agency;
- (c) under article 11(3) of the Establishment Order ⁽³⁾(as substituted by this Order) and under section 40(2) of the 1995 Act in so far as the direction applies where the appropriate agency is the Natural Resources Body for Wales and the Environment Agency acting jointly.

(2) In this paragraph “appropriate agency” (“*asiantaeth briodol*”) has the same meaning as in regulation 2(1) of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003 as amended by this Order.

(1) 1949 c. 97.

(2) 1967 c. 10.

(3) S.I.2003/3242 as amended by S.I. 2005/2035, S.I. 2007/3538, S.I. 2008/1097 (partly as from 14/05/08, fully as from 24/03/15), S.I. 2010/630 (C. 42), S.I. 2011/556 (C. 19).

The River Basin Districts Typology, Standards and Groundwater threshold values (Water Framework Directive) (England and Wales) Directions 2010

7.—(1) The River Basin Districts Typology, Standards and Groundwater threshold values (Water Framework Directive) (England and Wales) Directions 2010 are to be treated on and after the transfer date as directions given to the appropriate agency—

- (a) under articles 11(3) and 11A(3) of the Establishment Order (as substituted by this Order) in so far as the directions apply where the appropriate agency is the Natural Resources Body for Wales;
- (b) under sections 40(2) and 122(2) of the 1995 Act in so far as the directions apply where the appropriate agency is the Environment Agency; and
- (c) under articles 11(3) and 11A(3) of the Establishment Order (as substituted by this Order) and under sections 40(2) and 122(2) of the 1995 Act in so far as the directions apply where the appropriate agency is the Natural Resources Body for Wales and the Environment Agency acting jointly.

(2) In this paragraph, “appropriate agency” (*“asiantaeth briodol”*) has the same meaning as in regulation 2(1) of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003 as amended by this Order.