STATUTORY INSTRUMENTS

2001 No. 361

URBAN DEVELOPMENT

The Commission for the New Towns (Transfer of Undertaking and Functions) (Tees Barrage) Order 2001

Made - - - -	*12th February 2001*
Coming into force	*20th February 2001*

Whereas the Commission for the New Towns has made an application to the Secretary of State under section 69 of the River Tees Barrage and Crossing Act 1990**(a)** (transfer of functions);

And whereas before making that application the Commission for the New Towns gave not less than three months' notice of their intention in that behalf to the Stockton-on-Tees Borough Council, the Hambleton District Council, the Tees and Hartlepool Port Authority Limited and the Environment Agency and forwarded with the application any written representations submitted to the Commission by those councils, that authority or that agency within the period of such notice**(b)**;

Now, therefore, the Secretary of State in exercise of the powers conferred on him by section 69(1) of the River Tees Barrage and Crossing Act 1990, and of all other powers enabling him in that behalf, hereby makes the following Order—

Citation and commencement

1. This Order may be cited as the Commission for the New Towns (Transfer of Undertaking and Functions) (Tees Barrage) Order 2001 and shall come into force on 20th February 2001.

Interpretation

2. In this Order—

"the 1998 Order" means the Teesside Development Corporation (Transfer of Undertaking and Functions) Order 1998**(c)**;

"the Act" means the River Tees Barrage and Crossing Act 1990;

"the Commission" means the Commission for the New Towns;

"the functions" means all of the functions conferred on the Teesside Development Corporation by the Act which were transferred to the Commission by the 1998 Order;

(a) 1990 c. xix. All the functions conferred on the Teesside Development Corporation by the River Tees Barrage and Crossing Act 1990 and all of the undertaking authorised by that Act were transferred to the Commission for the New Towns by S.I. 1998/570.

(b) *See* section 69(2) of the River Tees Barrage and Crossing Act 1990. The Tees and Hartlepool Port Authority was incorporated as a private limited company on 2 August 1991 (company number 02636007). The functions of the National Rivers Authority under the 1990 Act, and the property, rights and liabilities of the National Rivers Authority, were transferred to the Environment Agency by sections 2(1) and 3(1) of the Environment Act 1995 (c. 25).

(c) S.I. 1998/570.

"the Transferee" means the British Waterways Board; and

"the undertaking" means all of the undertaking authorised by the Act which was transferred to the Commission by the 1998 Order.

Transfer of functions

3. Subject to the following provisions of this Order—

(a) the undertaking and functions are hereby transferred to the Transferee;

(b) references in the Act to an officer of the Corporation shall be construed as references to an employee of the Transferee; and

(c) anything which before the date of the coming into force of this Order was in the process of being done by, to or in relation to the Commission in connection with any of the functions or the undertaking may be continued after that date by, to or in relation to the Transferee.

Byelaws

4.—(1) Any byelaws made under section 50 of the Act and in force immediately before the date of the coming into force of this Order shall continue in force after that date as if they had been made by the Transferee.

(2) Section 50(9) of the Act shall apply as though the reference to the Chief Executive of the corporation were to an employee of the Transferee appointed for the purposes of that section.

Revocation

5. The 1998 Order is revoked.

Signed by authority of the Secretary of State
for the Environment, Transport and the Regions

Hilary Armstrong
Minister of State
Department of the Environment,
Transport and the Regions

12th February 2001

EXPLANATORY NOTE

(This note is not part of the Order)

This Order transfers from the Commission for the New Towns to the British Waterways Board, on the date of the coming into force of the Order, all the undertaking of the former Teesside Development Corporation authorised by the River Tees Barrage and Crossing Act 1990 and all the functions conferred on the Corporation by that Act. That undertaking and those functions were transferred to the Commission for the New Towns on 1st April 1998 by the Teesside Development Corporation (Transfer of Undertaking and Functions) Order 1998 (S.I. 1998/570).

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