

SCHEDULE 2 (introduced by sections 10(5) and 82(6))

DECISION ON REVIEW BY PERSON APPOINTED BY THE WELSH MINISTERS

*Application of this Schedule and meaning of “appointed person”*

- 1 (1) This Schedule applies to a review carried out by an appointed person—
  - (a) under section 9 (reviews of certain amendments to the schedule), or
  - (b) under section 81 (reviews of decisions to list buildings).
- (2) In this Schedule “appointed person” means a person appointed under section 9(3) or 81(3) (as the case may be) to carry out and make a decision on a review.

*Appointment of another person to make a decision on a review*

- 2 (1) At any time before an appointed person has made a decision on a review the Welsh Ministers may—
  - (a) revoke the person’s appointment, and
  - (b) appoint another person to make the decision instead.
- (2) Where a new appointment is made, the review, and any inquiry or other hearing in connection with the review, must start afresh.
- (3) Sub-paragraph (2) does not require any person to be given an opportunity to make fresh representations or to modify or withdraw any representations already made.

*Appointment of assessor to assist appointed person*

- 3 An appointed person may appoint an assessor to provide advice on—
  - (a) any matters arising at a local inquiry or hearing held by the appointed person in connection with a review or in consequence of such an inquiry or hearing, or
  - (b) any matters arising in written representations made to the appointed person in connection with such a review or in consequence of such representations.

*Directions*

- 4 The Welsh Ministers may direct that anything that would fall to be done by an appointed person in connection with a review, other than making a decision on the review, is to be done instead by the Welsh Ministers.

*Delegation*

- 5 (1) An appointed person may delegate to another person anything that would fall to be done by the appointed person in connection with a review, other than—
  - (a) the conduct of a local inquiry or hearing, and
  - (b) the making of a decision on the review under section 9(3)(b) or 81(3)(b).
- (2) The appointed person may determine the extent and terms of a delegation under sub-paragraph (1) and may amend or revoke the delegation.

*Status: This is the original version (as it was originally enacted).*

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*Public Services Ombudsman (Wales) Act 2019 (anaw 3)*

- 6        Where an appointed person is a member of the staff of the Welsh Government, the person's functions of making a decision on a review and doing anything in connection with it are to be treated for the purposes of the [Public Services Ombudsman \(Wales\) Act 2019 \(anaw 3\)](#) as functions of the Welsh Government.