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*Status: Point in time view as at 01/04/2024.*

*Changes to legislation: Localism Act 2011, Cross Heading: Fees is up to date with all changes known to be in force on or before 23 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)*

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## SCHEDULES

### SCHEDULE 13

#### INFRASTRUCTURE PLANNING COMMISSION: TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

#### PART 1

#### AMENDMENTS OF THE PLANNING ACT 2008

##### *Fees*

- 3 (1) Amend section 4 (regulations setting fees for performance of Commission's functions) as follows.
- (2) In subsection (1) for “charging of fees by the Commission in connection with the performance of any of its functions” substitute “ charging of fees by the Secretary of State in connection with the performance of any of the Secretary of State's major-infrastructure functions ”.
- (3) In subsection (3) (power to set fees calculated by reference to costs incurred)—
- (a) for “incurred by the Commission” substitute “ incurred by the Secretary of State ”, and
  - (b) for “its functions” (in both places) substitute “ the Secretary of State's major-infrastructure functions ”.
- (4) After subsection (3) insert—
- “(4) In this section “the Secretary of State's major-infrastructure functions” means—
- (a) the Secretary of State's functions under Parts 2 to 8 and under Part 12 so far as applying for the purposes of those Parts,
  - (b) the giving of advice to which section 51 applies, and
  - (c) the Secretary of State's functions, in relation to proposed applications for orders granting development consent, under statutory provisions implementing—
    - (i) Council Directive [85/337/EC](#) on the assessment of the effects of certain public and private projects on the environment, as amended from time to time, or
    - (ii) provisions of an EU instrument which from time to time replace provisions of that Directive.
- (5) In subsection (4)(c) “statutory provision” means a provision of an Act or of an instrument made under an Act.”
- (5) In the heading of Part 1 for “The Infrastructure Planning Commission” substitute “ Infrastructure planning: fees ”.

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**Commencement Information**

- I1** Sch. 13 para. 3 in force at 15.1.2012 for specified purposes by S.I. 2012/57, **art. 2(a)**
- I2** Sch. 13 para. 3 in force at 1.4.2012 in so far as not already in force by S.I. 2012/628, **art. 7(a)**

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