
WELSH STATUTORY INSTRUMENTS

2018 No. 1216

The Environment, Planning and Rural Affairs
(Miscellaneous Amendments) (Wales) Regulations 2018

PART 3

Amendments to secondary legislation concerning planning

The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004

17.—(1) The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004⁽¹⁾ are amended as follows.

(2) In regulation 2(1), in the definition of “the Habitats Directive” (“*y Gyfarwydddeb Cynefnoedd*”), for “as last amended by Council [Directive 97/62/EC](#)” substitute “, as amended from time to time”.

(3) In regulation 5(2)(b), for “Council [Directive 85/337/EC](#) on the assessment of the effects of certain public and private projects on the environment, as amended by Council [Directive 97/11/EC](#)” substitute “[Directive 2011/92/EU](#) of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment⁽²⁾, as amended from time to time”.

Commencement Information

II Reg. 17 in force at 17.12.2018, see [reg. 1\(3\)](#)

The Planning (Hazardous Substances) (Wales) Regulations 2015

18.—(1) The Planning (Hazardous Substances) (Wales) Regulations 2015⁽³⁾ are amended as follows.

(2) In Schedule 1—

- (a) in Part 1, column 1, section ‘P’, after “Regulation [\(EC\) No 440/2008](#)” insert “as amended from time to time”;
- (b) in Part 4—
 - (i) in paragraph 11(1), after “aerosol dispensers”, in the first place it occurs, insert “as amended from time to time”;
 - (ii) in paragraph 13(a), after “fertilisers” insert “as amended from time to time”;
 - (iii) in paragraphs 14 and 16(b), after “Regulation [\(EC\) No 2003/2003](#)”, in each place it occurs, insert “as amended from time to time”.

⁽¹⁾ [S.I. 2004/1656 \(W. 170\)](#).

⁽²⁾ [OJ No L 26, 28.1.2012, p. 1](#).

⁽³⁾ [S.I. 2015/1597 \(W. 196\)](#), to which there are amendments not relevant to these Regulations.

(3) In Schedule 2, in paragraph 6(a), for “Article 3(1)(b) of Regulation (EC) No 1102/2008 of the European Parliament and of the Council on the banning of exports of metallic mercury and certain mercury compounds and mixtures and the safe storage of metallic mercury” substitute “Article 13(1) of Regulation (EU) 2017/852 of the European Parliament and of the Council on mercury, and repealing Regulation (EC) No 1102/2008(4), as amended from time to time”.

Commencement Information

I2 Reg. 18 in force at 17.12.2018, see [reg. 1\(3\)](#)

The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016

19.—(1) The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016(5) are amended as follows.

(2) In Schedule 1, in paragraphs 9 and 10, for “Annex IIA to Council Directive 75/442/EEC” substitute “Annex I to Directive 2008/98/EC of the European Parliament and of the Council(6), as last amended by Council Regulation (EU) 2017/997(7).”

(3) In Schedule 2, in paragraph 2, in row 3(g) of column 2 of the table, in paragraph (ii), for “the Environmental Permitting (England and Wales) Regulations 2010” substitute “the Environmental Permitting (England and Wales) Regulations 2016(8)”.

Commencement Information

I3 Reg. 19 in force at 17.12.2018, see [reg. 1\(3\)](#)

The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017

20.—(1) The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017(9) are amended as follows.

(2) In Schedule 1, in paragraphs 9 and 10, for “Annex IIA to Council Directive 75/442/EEC” substitute “Annex I to Directive 2008/98/EC of the European Parliament and of the Council, as last amended by Council Regulation (EU) 2017/997,”.

(3) In Schedule 2, in paragraph 2, in row 3(g) of column 2 of the table, in paragraph (ii), for “the Environmental Permitting (England and Wales) Regulations 2010” substitute “the Environmental Permitting (England and Wales) Regulations 2016”.

Commencement Information

I4 Reg. 20 in force at 17.12.2018, see [reg. 1\(3\)](#)

(4) OJ No L 137, 24.5.2017, p. 1.

(5) [S.I. 2016/58 \(W. 28\)](#).

(6) OJ No L 312, 22.11.2008, p. 3.

(7) OJ No L 150, 14.6.2017, p. 1.

(8) [S.I. 2016/1154](#).

(9) [S.I. 2017/567 \(W. 136\)](#).

Changes to legislation: There are currently no known outstanding effects for the *The Environment, Planning and Rural Affairs (Miscellaneous Amendments) (Wales) Regulations 2018, PART 3*. (See end of Document for details)

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There are currently no known outstanding effects for the The Environment, Planning and Rural Affairs (Miscellaneous Amendments) (Wales) Regulations 2018, PART 3.