

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Article 2 of this Order amends the Planning Act 2008 (“the 2008 Act”).

The 2008 Act was amended by Chapter 6 of Part 6 of the Localism Act 2011, which came into force on 1st April 2012, by virtue of article 7 of the Localism Act 2011 (Commencement No. 4 and Transitional, Transitory and Saving Provisions) Order 2012 ([S.I. 2012/628 \(C. 14\)](#)). Section 128 of the Localism Act 2011 abolishes the Infrastructure Planning Commission, and Schedule 13 transfers its functions to the Secretary of State.

Article 2(2) of this Order amends section 14(1) of the 2008 Act to extend the categories of infrastructure project which are nationally significant for the purposes of the 2008 Act by adding to them a new type of project, being development relating to radioactive waste geological disposal facilities. This new type of project is subject to the limitations in new section 30A of the 2008 Act inserted by article 2(3) of this Order. The new section 30A provides criteria for determining whether any particular project for development relating to radioactive waste geological disposal facilities is to be treated as a nationally significant infrastructure project for the purposes of the 2008 Act.

Article 2(4) makes further consequential amendments in respect of Schedule 12 to the 2008 Act.