
WELSH STATUTORY INSTRUMENTS

2004 No. 1656

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

PART 1

INTRODUCTORY PROVISIONS

Interpretation

2.—(1) In these Regulations—

“Cadw” (“*Cadw*”) means the executive agency responsible for administering the exercise of functions vested in the National Assembly relating to the historic environment;

“consultation body” (“*corff ymgynghori*”) has the meaning given by regulation 4;

“the Environmental Assessment of Plans and Programmes Directive” (“*Cyfarwyddeb Asesiad Amgylcheddol o Gynlluniau a Rhaglenni*”) means Directive 2001/42/EC^{M1} of the European Parliament and of the Council on the assessment of the effects of certain plans and programmes on the environment;

“functions” (“*swyddogaethau*”) includes powers and duties;

“the Habitats Directive” (“*y Gyfarwyddeb Cynefinoedd*”) means Council Directive 92/43/EEC on the conservation of natural habitats and of wild flora and fauna [^{F1}, as amended from time to time];

“the National Assembly” (“*y Cynulliad Cenedlaethol*”) means the National Assembly for Wales;

references to “plans” (“*cynlluniau*”) and “programmes” (“*rhaglenni*”) are references to plans and programmes, including those co-financed by the [^{F2}European Union], as well as any modifications to them, which are—

- (a) subject to preparation or adoption, or both, by an authority at national, regional or local level; or
- (b) prepared by an authority for adoption, through a legislative procedure by Parliament or Government; and, in either case,
- (c) required by legislative, regulatory or administrative provisions;

“responsible authority”, (“*awdurdod cyfrifol*”) in relation to a plan or programme, means—

- (a) the authority by which or on whose behalf it is prepared; and
- (b) where, at any particular time, that authority ceases to be responsible, or solely responsible, for taking steps in relation to the plan or programme, the person who, at that time, is responsible (solely or jointly with the authority) for taking those steps; and

“Secretary of State” (“*Ysgrifennydd Gwladol*”) means the Secretary of State having responsibility for the subject matter of the plan or programme.

(2) Other expressions used both in these Regulations and in the Environmental Assessment of Plans and Programmes Directive have the same meaning in these Regulations as they have in that Directive.

(3) In these Regulations, unless otherwise stated, references to Parts, regulations and Schedules are references to Parts, regulations and Schedules of these Regulations.

Textual Amendments

- F1** Words in reg. 2(1) substituted (17.12.2018) by [The Environment, Planning and Rural Affairs \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/1216\)](#), regs. 1(3), **17(2)**
- F2** Words in reg. 2(1) substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, **8-10**
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Marginal Citations

- M1** O.J. No. L 197, 21.07.2001, p.30.

Changes to legislation:

There are currently no known outstanding effects for the The Environmental Assessment of Plans and Programmes (Wales) Regulations 2004, Section 2.