
WELSH STATUTORY INSTRUMENTS

2012 No. 737

The Works on Common Land,
etc. (Procedure) (Wales) Regulations 2012

PART 1

General

Scope and Interpretation

2.—(1) In Part 2 of these Regulations—

- (a) regulations 5 to 18 apply to applications to the Welsh Ministers under section 38(1) of the 2006 Act for consent to carry out restricted works on common land;
- (b) regulations 19 and 20 apply to applications to the Welsh Ministers under section 39(5) of the 2006 Act to vary or revoke any modification or condition imposed in relation to a consent granted pursuant to an application under section 38(1); and
- (c) regulation 21 applies to applications to the Welsh Ministers under section 23(2) of the National Trust Act 1971(1).

(2) In these Regulations—

“the 2006 Act” (“*Deddf 2006*”) means the Commons Act 2006;

“common land” (“*tir comin*”) means land of a type specified in section 38(5)(a) and (b) of the 2006 Act;

“the determining authority” (“*yr awdurdod sy'n penderfynu*”) means—

- (a) the Welsh Ministers, where they are exercising functions in relation to the determination of an application of any of the kinds referred to in paragraph (1); or
- (b) a person who is exercising functions in relation to the determination of such an application pursuant to an appointment under regulation 3(1) (other than an inspector who is appointed to carry out a hearing, inquiry or site inspection but not to determine an application);

“electronic communication” (“*cyfathrebiad electronig*”) has the meaning given in section 15(1) of the Electronic Communications Act 2000(2);

“inspector” (“*arolygydd*”) means—

- (a) where the Welsh Ministers are the determining authority, a person appointed by the Welsh Ministers to carry out a hearing, inquiry or site inspection;
- (b) where another person is the determining authority, the person who conducts a hearing, inquiry or site inspection;

(1) 1971 c.vi, as amended by paragraph 4 of Schedule 4 to the 2006 Act. Sections 39 and 40 of the 2006 Act apply in relation to an application under section 23(2) of the National Trust Act 1971 by virtue of section 23(2A) of that Act, as inserted by paragraph 4(3) of Schedule 4 to the 2006 Act.

(2) 2000 c. 7. The definition of “electronic communication” was amended by the Communications Act 2003 (c. 21), Schedule 17, paragraph 158.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“notice of application” (“*hysbysiad o gais*”) means a notice containing the details specified in regulation 7(2).