
WELSH STATUTORY INSTRUMENTS

2016 No. 58 (W. 28)

TOWN AND COUNTRY PLANNING, WALES

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

Made - - - - 27 January 2016
Laid before the National
Assembly for Wales - - 1 February 2016
Coming into force 1 March 2016 except for
regulation 38, Schedule 5 and Schedule 9, paragraph
8(3) which come into force in accordance with
regulation 1

The Welsh Ministers being designated for the purposes of section 2(2) of the European Communities Act 1972⁽¹⁾ in relation to the requirement for an assessment of the impact on the environment of projects likely to have significant effects on the environment, insofar as it concerns town and country planning⁽²⁾, in exercise of the powers conferred by that section, section 71A of the Town and Country Planning Act 1990⁽³⁾, and having taken into account the selection criteria in Annex III to Directive 2011/92/EU⁽⁴⁾ of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment⁽⁵⁾, as adopted on 13 December 2011, make the following Regulations.

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- (1) 1972 c. 68. Section 2(2) was amended by section 27(1) of the Legislative and Regulatory Reform Act 2006 (c. 51) and section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7).
- (2) S.I. 2007/1679. See article 4.
- (3) 1990 c. 8. Section 71A was inserted by section 15 of the 1991 Act. The functions of the Secretary of State under that Act were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672): see the entry in Schedule 1 for the 1991 Act. Those functions were transferred to the Welsh Ministers by section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32), the functions being relevant Assembly functions as defined in paragraph 30(2).
- (4) Directive 2011/92/EU has been amended by Directive 2014/52/EU. See articles 2(1) and 3(1) of Directive 2014/52/EU.
- (5) O.J. No. L 26, 28.1.2012, p. 1. The Directive has been amended by Directive 2014/52/EU of the European Parliament and of the Council O.J. No. L 124, 25.4.2014, p. 1. See in particular Article 3(1).