
WELSH STATUTORY INSTRUMENTS

2017 No. 547 (W. 124)

TOWN AND COUNTRY PLANNING, WALES

**The Planning (Hazardous Substances)
(Wales) (Amendment) Regulations 2017**

<i>Made</i>	- - - -	<i>5 April 2017</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>11 April 2017</i>
<i>Coming into force</i>	- -	<i>5 May 2017</i>

The Welsh Ministers make these Regulations in exercise of the powers conferred on the Secretary of State by sections 25 and 40 of the Planning (Hazardous Substances) Act 1990⁽¹⁾ and now exercisable by them⁽²⁾ and the powers conferred on them by section 21 of that Act⁽³⁾ and section 323A of the Town and Country Planning Act 1990⁽⁴⁾.

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- (1) 1990 c. 10. See section 39(2) for the meaning of “prescribed”. Section 25 was amended by section 25 of, and paragraph 30 of Schedule 3 to, the Planning and Compensation Act 1991 (c. 34), section 196(4) of, and paragraphs 25 and 28(a) of Schedule 10 to, the Planning Act 2008 (c. 29) (“the 2008 Act”) and article 3 of, and paragraphs 24 and 27(a) of Schedule 1 to, S.I. 2014/2773 (W. 280). Section 40 was amended by section 118(1) of, and paragraph 27 of Schedule 6 to, the Planning and Compulsory Purchase Act 2004 (c. 5).
- (2) The functions of the Secretary of State under those sections 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). The 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).
- (3) Section 21 was amended by section 162 of, and paragraph 1 of Part 7 of Schedule 16 to, the Environmental Protection Act 1990 (c. 43) (“the EPA”), section 197 of, and paragraph 6 of Schedule 11 to the 2008 Act, article 3 of, and paragraphs 24 and 26 of Schedule 1 to, S.I. 2014/2773 and section 47(4) of the Planning (Wales) Act 2015 (anaw 4) (“the 2015 Act”).
- (4) 1990 c. 8. Section 323A was inserted by section 50 of the 2015 Act. Section 323A is applied to the Planning (Hazardous Substances) Act 1990 by section 37 of that Act. Section 37 was amended by section 51 of, and paragraphs 23 and 25 of Schedule 5 to, the 2015 Act.