

SCHEDULE 5

Article 4(2)

WELSH STATUTORY INSTRUMENTS

Countryside Access (Draft Maps) (Wales) Regulations 2001

1. The Countryside Access (Draft Maps) (Wales) Regulations 2001(1) are amended as follows.
- 2.—(1) Regulation 2(1) is amended as follows.
 - (2) Omit the definition of “the Council”.
 - (3) In the appropriate place insert—

““the NRBW” (“*CANC*”) means the Natural Resources Body for Wales;”.
 - (4) For “Council”, in each place where it occurs, substitute “NRBW”.
3. In regulations 3 to 7, for “Council”, in each place where it occurs, substitute “NRBW”.
4. In Schedule 1, after “Forestry Commission” insert “(where land included in a draft map has a border with England)”.

Countryside Access (Local Access Forums) (Wales) Regulations 2001

5. The Countryside Access (Local Access Forums) (Wales) Regulations 2001(2) are amended as follows.
6. In regulations 10(2)(d) and 15(9), for “the Countryside Council for Wales” substitute “the Natural Resources Body for Wales”.
- 7.—(1) Regulation 17 is amended as follows.
 - (2) In sub-paragraph (a), for “the Countryside Council for Wales (the Council)” substitute “the Natural Resources Body for Wales (the NRBW)”.
 - (3) In sub-paragraphs (b) and (c), for “Council”, in each place where it occurs, substitute “NRBW”.

Wildlife and Countryside (Sites of Special Scientific Interest, Appeals) (Wales) Regulations 2002

8. The Wildlife and Countryside (Sites of Special Scientific Interest, Appeals) (Wales) Regulations 2002(3) are amended as follows.
- 9.—(1) Regulation 2 is amended as follows.
 - (2) In paragraph (1)—
 - (a) omit the definition of “the Council”;
 - (b) in the appropriate place insert—

““the NRBW” (“*CANC*”) means the Natural Resources Body for Wales;”.
 - (3) In paragraph (2), for “Council”, in each place where it occurs, substitute “NRBW”.
10. In regulations 3(g), 6 to 10, 12 to 14, 16 and 19, for “Council”, in each place where it occurs (including in the headings to regulations 7, 8 and 10), substitute “NRBW”.

(1) S.I.2001/4001 (W. 329) as amended by S.I. 2002/1796 (W. 171).

(2) S.I. 2001/4002 (W. 330).

(3) S.I. 2002/1772 (W. 168).

Countryside Access (Appeals Procedures) (Wales) Regulations 2002

11.—(1) Regulation 2(1) of the Countryside Access (Appeals Procedures) (Wales) Regulations 2002(4) is amended as follows.

(2) Omit the definition of “the Council”.

(3) In the appropriate place insert—

““the NRBW” (“*CANC*”) means the Natural Resources Body for Wales;”.

(4) For “Council”, in each place where it occurs (except in the definition of “the Council”), substitute “NRBW”.

Countryside Access (Provisional and Conclusive Maps) (Wales) Regulations 2002

12. The Countryside Access (Provisional and Conclusive Maps) (Wales) Regulations 2002(5) are amended as follows.

13.—(1) Regulation 2(1) is amended as follows.

(2) Omit the definition of “the Council”.

(3) In the appropriate place insert—

““the NRBW” (“*CANC*”) means the Natural Resources Body for Wales;”.

(4) For “Council”, in each place where it occurs (except in the definition of “the Council”), substitute “NRBW”.

14. In regulations 3 to 10, for “Council”, in each place where it occurs, substitute “NRBW”.

15. In Schedule 1, after “The Environment Agency” and “Forestry Commission” insert “(where land included in the provisional or conclusive map has a border with England)”.

Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002

16.—(1) Regulation 13(4) of the Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002(6) is amended as follows.

(2) In sub-paragraph (e), for “the Countryside Council for Wales” substitute “the Natural Resources Body for Wales”.

(3) Omit sub-paragraph (f).

Countryside Access (Dedication of Land as Access Land) (Wales) Regulations 2003

17. The Countryside Access (Dedication of Land as Access Land) (Wales) Regulations 2003(7) are amended as follows.

18. In regulation 2(1), omit the definition of “the Council”.

19.—(1) Regulation 4(4) is amended as follows.

(2) In sub-paragraph (b), for “the Council” substitute “the Natural Resources Body for Wales”.

(3) Omit sub-paragraph (d).

(4) S.I. 2002/1794 (W. 169) as amended by S.I. 2003/142 (W. 14), S.I. 2005/1154 (W. 71), S.I. 2005/1270 (W. 90).

(5) S.I. 2002/1796 (W. 171).

(6) S.I. 2002/3188 (W. 304) as amended by S.I. 2005/1913 (W. 156), S.I. 2005/2759, S.I. 2011/1043.

(7) S.I. 2003/135 (W. 9).

Countryside Access (Exclusion or Restriction of Access) (Wales) Regulations 2003

20. The Countryside Access (Exclusion or Restriction of Access) (Wales) Regulations 2003⁽⁸⁾ are amended as follows.

21.—(1) Regulation 2(1) is amended as follows.

(2) Omit the definition of “the Council”.

(3) In the appropriate place insert—

““the NRBW” (“*CANC*”) means the Natural Resources Body for Wales;”.

22. In regulations 12(1) and 14(7) and (9), for “Council”, in each place where it occurs, substitute “NRBW”.

Coast Protection (Notices) (Wales) Regulations 2003

23. In regulation 4(c) of the Coast Protection (Notices) (Wales) Regulations 2003⁽⁹⁾, for “the Countryside Council for Wales” substitute “the Natural Resources Body for Wales”.

Water Industry (Prescribed Conditions) (Undertakers Wholly or Mainly in Wales) Regulations 2004

24.—(1) Regulation 3(3) of the Water Industry (Prescribed Conditions) (Undertakers Wholly or Mainly in Wales) Regulations 2004⁽¹⁰⁾ is amended as follows.

(2) For sub-paragraph (b), substitute—

“(b) where the determination relates to an area that is the whole or part of an area of a water undertaker whose area is wholly in Wales, the Natural Resources Body for Wales;”.

(3) For sub-paragraph (c), substitute—

“(c) where the determination relates to an area that is the whole or part of an area of a water undertaker whose area is partly in Wales and partly in England, the Natural Resources Body for Wales and the Environment Agency;”.

Landfill Allowances Scheme (Wales) Regulations 2004

25. In regulation 5 of the Landfill Allowances Scheme (Wales) Regulations 2004⁽¹¹⁾, for “Environment Agency” substitute “Natural Resources Body for Wales”.

Environmental Assessment of Plans and Programmes (Wales) Regulations 2004

26.—(1) Regulation 4 of the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004⁽¹²⁾ is amended as follows.

(2) For paragraph (1) substitute—

“(1) Subject to paragraph (2), in relation to every plan or programme to which these Regulations apply, each of the following bodies are consultation bodies—

(a) the Natural Resources Body for Wales;

(b) Cadw.”

⁽⁸⁾ S.I. 2003/142 (W. 14).

⁽⁹⁾ S.I. 2003/1847 (W. 197).

⁽¹⁰⁾ S.I. 2004/701 (W. 75) as amended by S.I. 2005/2035.

⁽¹¹⁾ S.I. 2004/1490 (W. 155) as amended by S.I. 2005/1820 (W. 148), S.I. 2011/971 (W. 141), S.I. 2012/65 (W. 16).

⁽¹²⁾ S.I. 2004/1656 (W. 170) as amended by S.I. 2011/1043.

(3) In paragraph (2), for “a body mentioned in paragraph (1)” substitute “Cadw”.

Hazardous Waste (Wales) Regulations 2005

27. The Hazardous Waste (Wales) Regulations 2005(13) are amended as follows.

28. In regulation 5(1), in the appropriate place insert—

““NRBW” (“CANC”) means the Natural Resources Body for Wales;”.

29. In regulation 11, after paragraph (a) insert—

“(aa) the NRBW;”.

30. In the following provisions, for “Agency”, in each place where it occurs, substitute “NRBW”—

- (a) regulation 21(1) and (2);
- (b) regulations 23 to 28;
- (c) regulation 33(1);
- (d) regulation 42(5)(a) and (6)(b)(ii);
- (e) regulation 47(4)(b);
- (f) regulation 49(5)(a) and (6);
- (g) regulation 51(3) and (4)(b);
- (h) regulation 53;
- (i) regulation 55.

31. In the heading to Part 8, for “Agency's” substitute “NRBW's”.

32. In the following provisions, for “Agency”, in each place where it occurs, substitute “NRBW”—

- (a) regulation 56;
- (b) regulation 58 (including the heading);
- (c) regulation 60(1);
- (d) regulations 62 to 64 (including the heading to regulation 63).

33. In regulation 65A(1), for “the Environment Agency” substitute “the NRBW”.

34. In regulations 70 and 71(3), for “Agency”, in each place where it occurs, substitute “NRBW”.

35.—(1) Schedule 7 is amended as follows.

(2) In paragraph 4—

- (a) in sub-paragraph (2)(a), for “Agency” substitute “NRBW”;
- (b) in sub-paragraph (3)(b), after “from Northern Ireland” insert “or the Agency (where the waste is transported from England)”;
- (c) in sub-paragraph (4)—
 - (i) after “or Northern Ireland” insert “or England”;
 - (ii) after “from Northern Ireland” insert “or the Agency (where the waste is transported from England)”.

(13) S.I. 2005/1806 (W. 138) as amended by S.I. 2006/937, S.I. 2007/3538, S.I. 2009/2861 (W. 250), S.I. 2010/675, S.I. 2010/1820 (W. 177), S.I. 2011/556 (C. 19), S.I. 2011/971 (W. 141), S.I. 2011/2043.

(3) In paragraph 5—

- (a) in sub-paragraph (1), after “or Northern Ireland” insert “or England”;
- (b) in sub-paragraph (2)(a)(i), after “in Northern Ireland” insert “or the Agency (where the waste is to be consigned to a consignee in England)”.

36. In Schedule 10, in the Form of Fixed Penalty Notices, for “the Environment Agency” substitute “the Natural Resources Body for Wales”.

Town and Country Planning (Local Development Plan) (Wales) Regulations 2005

37.—(1) Regulation 2(1) of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005(**14**) is amended as follows.

(2) In the definition of “specific consultation bodies”—

- (a) in sub-paragraph (a), for “the Countryside Council for Wales” substitute “the Natural Resources Body for Wales”;
- (b) omit sub-paragraph (b).

Radioactive Contaminated Land (Modification of Enactments) (Wales) Regulations 2006

38. In regulation 18(2)(a) of the Radioactive Contaminated Land (Modification of Enactments) (Wales) Regulations 2006(**15**), after “the Agency” insert “, the Natural Resources Body for Wales”.

Contaminated Land (Wales) Regulations 2006

39. The Contaminated Land (Wales) Regulations 2006(**16**) are amended as follows.

40. In regulations 5(1), 7(1)(o) and 13(3)(b), and in Schedule 3, in paragraphs 10(1) and 13, for “the Environment Agency” and “the Agency”, in each place where they occur, substitute “the Natural Resources Body for Wales”.

Controls on Dogs (Non-application to Designated Land) (Wales) Order 2007

41. — In the Schedule to the Controls on Dogs (Non-application to Designated Land) (Wales) Order 2007(**17**), the Table is amended as follows.

(2) In the first description of land, in the first column, for “the Forestry Commissioners” substitute “the Natural Resources Body for Wales”.

Zoonoses (Monitoring) (Wales) Regulations 2007

42. In regulation 7 of the Zoonoses (Monitoring) (Wales) Regulations 2007(**18**), for “the Countryside Council for Wales” substitute “the Natural Resources Body for Wales”.

Environmental Impact Assessment (Agriculture) (Wales) Regulations 2007

43. The Environmental Impact Assessment (Agriculture) (Wales) Regulations 2007(**19**) are amended as follows.

(14) S.I. 2005/2839 (W. 203) as amended by S.I. 2011/971 (W. 141).

(15) S.I. 2006/2988 (W. 277) as amended by S.I. 2007/3250, S.I. 2008/521, S.I. 2010/2146.

(16) S.I. 2006/2989 (W. 278) as amended by S.I. 2007/3538, S.I. 2010/675, S.I. 2012/283 (W. 47).

(17) S.I. 2007/701 (W. 58).

(18) S.I. 2007/2459 (W. 207).

(19) S.I. 2007/2933 (W. 253) as amended by S.I. 2011/1043.

44.—(1) In regulation 2(1), the definition of “consultation bodies” is amended as follows.

(2) In sub-paragraph (a), for “the Countryside Council for Wales” substitute “the Natural Resources Body for Wales”.

(3) Omit sub-paragraph (b).

45. In regulation 5(7)(d), omit “by the Countryside Council for Wales”.

Nitrate Pollution Prevention (Wales) Regulations 2008

46. The Nitrate Pollution Prevention (Wales) Regulations 2008(20) are amended as follows.

47.—(1) Regulation 6 is amended as follows.

(2) Omit the definition of “Agency”.

(3) In the appropriate place insert—

““NRBW” (“*CANC*”) means the Natural Resources Body for Wales;”.

48. In regulations 7(1)(a), 8(3) and 13A to 13D, for “Agency”, in each place where it occurs, substitute “NRBW”.

49. In regulation 49, for “Environment Agency” substitute “NRBW”.

50. In Schedule 4, in paragraph 19(1) and (2), for “Agency” substitute “NRBW”.

Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009

51. The Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009(21) are amended as follows.

52.—(1) Regulation 10 is amended as follows.

(2) In paragraph (2)—

(a) before “the Environment Agency”, in the first place where it occurs, insert “either the Natural Resources Body for Wales or”;

(b) for “the Environment Agency”, in the second place where it occurs, substitute “the Natural Resources Body for Wales”.

(3) In paragraph (3)(b)—

(a) in paragraph (ii), for “the Environment Agency” substitute “the Natural Resources Body for Wales”;

(b) in paragraph (iii), for “Countryside Council for Wales” substitute “the Natural Resources Body for Wales”.

53.—(1) Regulation 11 is amended as follows.

(2) In the table, in the third column—

(a) for “Environment Agency” in each place where it occurs substitute “Natural Resources Body for Wales”;

(b) for “Countryside Council for Wales” substitute “Natural Resources Body for Wales”.

54. In regulation 31(2), for “the Environment Agency” substitute “the Natural Resources Body for Wales”.

(20) S.I. 2008/3143 (W. 278) as amended by S.I. 2010/489 (W.55), S.I. 2012/1238 (W. 151).

(21) S.I. 2009/995 (W. 81) as amended by S.I. 2011/556 (C. 19), S.I. 2011/971 (W. 141), S.I. 2011/1043, S.I. 2011/2131, S.I. 2012/630.

Crime and Disorder Strategies (Prescribed Descriptions) (Wales) Order 2009

55. In article 3(2)(a) of the Crime and Disorder Strategies (Prescribed Descriptions) (Wales) Order 2009(22), for “the Environment Agency” substitute “the Natural Resources Body for Wales”.

Town and Country Planning (Environmental Impact Assessment) (Undetermined Reviews of Old Mineral Permissions) (Wales) Regulations 2009

56.—(1) Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) (Undetermined Reviews of Old Mineral Permissions) (Wales) Regulations 2009(23) is amended as follows.

(2) In the definition of “the consultation bodies”, in sub-paragraph (b)—

(a) in paragraph (ii), for “the Countryside Council for Wales” substitute “the Natural Resources Body for Wales”;

(b) omit paragraph (iii).

(3) In the definition of “sensitive area”, in sub-paragraph (g), for “the Countryside Council for Wales” substitute “the Natural Resources Body for Wales”.

Water Resources (Control of Pollution) (Silage, Slurry and Agriculture Fuel Oil) (Wales) Regulations 2010

57. The Water Resources (Control of Pollution) (Silage, Slurry and Agriculture Fuel Oil) (Wales) Regulations 2010(24) are amended as follows.

58.—(1) Regulation 2(1) is amended as follows.

(2) Omit the definition of “Environment Agency”.

(3) In the appropriate place insert—

““NRBW” (“CANC”) means the Natural Resources Body for Wales;”.

59. In regulations 3(1)(c)(i) and 7 to 9, and in Schedule 2, in paragraphs 5(1)(b) and 7, for “Environment Agency”, in each place where it occurs, substitute “NRBW”.

Environmental Civil Sanctions (Wales) Order 2010

60. In article 2 of the Environmental Civil Sanctions (Wales) Order 2010(25), for “The Environment Agency” substitute “The Natural Resources Body for Wales”(26).

Llangollen and Corwen Railway Order 2010

61. The Llangollen and Corwen Railway Order 2010(27) is amended as follows.

62. In article 9(8)(a) and the heading to article 21, for “Environment Agency” substitute “Natural Resources Body for Wales”.

63. In Schedule 4, for “Environment Agency”, in each place where it occurs (including in the heading to that Schedule), substitute “Natural Resources Body for Wales”.

(22) S.I. 2009/3050 (W. 267) as amended by S.I. 2010/1142 (W. 101).

(23) S.I. 2009/3342 (W. 293).

(24) S.I. 2010/1493 (W. 136).

(25) S.I. 2010/1821 (W. 178).

(26) Schedule 7 contains transitional provisions relating to this Order.

(27) S.I. 2010/2136 (W. 192).

Sea Fish (Specified Area) (Prohibition of Fixed Engines) (Wales) Order 2010

64. In article 4(1)(a) of the Sea Fish (Specified Area) (Prohibition of Fixed Engines) (Wales) Order 2010(28), for “the Environment Agency” substitute “the Natural Resources Body for Wales”.

Marine Licensing (Exempted Activities) (Wales) Order 2011

65. The Marine Licensing (Exempted Activities) (Wales) Order 2011(29) is amended as follows.

66. In articles 18(1) and 19(1), after “by or on behalf of” insert “the Natural Resources Body for Wales or”.

67. In article 25(1), for “the Countryside Council for Wales”, in each place where it occurs, substitute “the Natural Resources Body for Wales”.

Flood and Coastal Erosion Risk Management Information Appeals (Wales) Regulations 2011

68. In regulation 1(c)(ii) of the Flood and Coastal Erosion Risk Management Information Appeals (Wales) Regulations 2011(30), after “the Environment Agency” insert “and the Natural Resources Body for Wales”.

Recycling, Preparation for Re-use and Composting Targets (Monitoring and Penalties) (Wales) Regulations 2011

69. The Recycling, Preparation for Re-use and Composting Targets (Monitoring and Penalties) (Wales) Regulations 2011(31) are amended as follows.

70. In regulation 2, in the definition of “the WasteDataFlow system”, for “the Environment Agency” substitute “the Natural Resources Body for Wales”.

71. In regulation 3(1), for “the Environment Agency” substitute “the Natural Resources Body for Wales”.

Incidental Flooding and Coastal Erosion (Wales) Order 2011

72. The Incidental Flooding and Coastal Erosion (Wales) Order 2011(32) is amended as follows.

73. In article 3(3), for “the Environment Agency” substitute “the Natural Resources Body for Wales”.

74.—(1) Article 3 is amended as follows.

(2) In paragraph (2)—

(a) in sub-paragraph (b), for “reference in section 157(6)(a)” substitute “references in section 157(6)(a) and (7)(a)”;

(b) in sub-paragraph (c), after “to (e)” insert “and (7)(c)”.

(3) In paragraph (3), after “An authorisation to” insert “the Natural Resources Body for Wales or”.

75.—(1) Article 4 is amended as follows.

(2) In paragraph (1)—

(28) S.I. 2010/2915 (W. 240).

(29) S.I. 2011/559 (W. 81).

(30) S.I. 2011/865 (W. 127).

(31) S.I. 2011/1014 (W.152).

(32) S.I. 2011/2829 (W. 302).

- (a) in sub-paragraph (a), after “Agency” insert “or the NRBW”;
 - (b) in sub-paragraph (c)—
 - (i) in the opening words, omit “the words “the Agency””;
 - (ii) in paragraph (i), at the beginning insert “the words “the Agency or the NRBW” in”;
 - (iii) after paragraph (i) insert—
 - “(ia) the words “the Agency or, as the case may be, by the NRBW” in section 154(2);”;
 - (iv) in paragraph (ii), for “where they appear” substitute “the words “the Agency or the NRBW””;
 - (v) in paragraph (iii), for “the second and third places they appear” substitute “the words “the Agency or the NRBW” and “the Agency or, as the case may be, the NRBW””;
 - (c) after sub-paragraph (d) insert—
 - “(e) section 154(7) were omitted.”
- (3) In paragraph (2)—
- (a) in sub-paragraph (a), after “The Agency” insert “and the NRBW”;
 - (b) in sub-paragraph (b)—
 - (i) after “the Agency” insert “or, as the case may be, the NRBW”;
 - (ii) omit “and (6)”;
 - (c) in sub-paragraph (c), after “157(2)(b)” insert “and (6)”;
 - (d) after sub-paragraph (c) insert—
 - “(ca) the words “the local authority” were substituted for the words “the NRBW” where they appear in section 157(7);”;
 - (e) in sub-paragraph (d), for “157(6)(a)” substitute “157(7)(a)”;
 - (f) in sub-paragraph (e), for “157(6)(c) to (e)” substitute “157(7)(c)”.
- 76.**—(1) Article 6 is amended as follows.
- (2) In paragraph (1)—
- (a) in sub-paragraph (a)—
 - (i) in the opening words, after “Agency” insert “or by the NRBW”;
 - (ii) in paragraph (ii), omit “first”;
 - (b) in sub-paragraph (b)—
 - (i) in the opening words, after “Agency” insert “or the NRBW”;
 - (ii) in paragraph (ii), for “the second place” substitute “where”.
- (3) In paragraph (2)—
- (a) in sub-paragraph (a), after “Agency” insert “or by the NRBW”;
 - (b) in sub-paragraph (b), after “Agency” insert “or the NRBW”;
 - (c) in sub-paragraph (d), after “171(2)(b)” insert “and (6)”.
- (4) In paragraph (3)—
- (a) in sub-paragraph (f)—
 - (i) after “Agency” insert “or the NRBW”;
 - (ii) omit “and 8”;

Status: This is the original version (as it was originally made).

(b) after sub-paragraph (f) insert—

“(fa) the words “or a local authority” were substituted for “, the Agency or the NRBW” in paragraph 8(1);”.

77. In article 8, for “Agency”, in each place where it occurs, substitute “appropriate agency”.

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

78. The Town and Country Planning (Development Management Procedure) (Wales) Order 2012(33) is amended as follows.

79.—(1) Article 27(3) is amended as follows.

(2) In sub-paragraph (b), for “Countryside Council for Wales” substitute “Natural Resources Body for Wales”.

(3) Omit sub-paragraph (c).

80.—(1) In Schedule 4, the Table is amended as follows.

(2) For “Environment Agency”, in each place where it occurs, substitute “Natural Resources Body for Wales”.

(3) For “Countryside Council for Wales”, in each place where it occurs, substitute “Natural Resources Body for Wales”.

(33) S.I. 2012/801 (W. 110) as modified by S.I. 2012/1659.