

## SCHEDULES

### SCHEDULE 1

Article 3

#### PROVISIONS REFERRED TO IN ARTICLE 3

The provisions<sup>(1)</sup> referred to in article 3 are—

- (a) paragraph 14(7) of Schedule 28 to the Local Government, Planning and Land Act 1980 **(2)**;
- (b) paragraph 16(9) of that Schedule**(3)**;
- (c) section 26(8) of the New Towns Act 1981**(4)**;
- (d) section 39(7)(b) of that Act**(5)**;
- (e) paragraph 12(8)(b) of Schedule 10 to the Housing Act 1988**(6)**;
- (f) paragraph 14(10)(b) of that Schedule**(7)**;
- (g) section 272(5)(b) and (6)(b) of the Town and Country Planning Act 1990**(8)**;
- (h) section 273(8)(b) of that Act**(9)**;
- (i) section 274(6) of that Act**(10)**;
- (j) paragraph 9(8)(b) of Schedule 6 to the Regional Development Agencies Act 1998**(11)**;

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- (1)** The functions of the Secretary of State for Business, Innovation and Skills under or by virtue of the provisions mentioned were transferred from the Secretary of State for Business, Enterprise and Regulatory Reform by [S.I. 2009/2748](#), article 4, having previously been transferred to that Secretary of State from the Secretary of State for Trade and Industry by [S.I. 2007/3224](#), article 11. References to the Secretary of State for Trade and Industry in the provisions mentioned in paragraphs (a) to (i) accordingly have effect as, or as including, references to the Secretary of State for Business, Innovation and Skills by virtue of [S.I. 2007/3224](#), article 12 and [S.I. 2009/2748](#), article 6. But that is subject to the National Assembly for Wales (Transfer of Functions) Order 1999 ([S.I. 1999/672](#)). By virtue of article 2 of, and Schedule 1 to, that Order certain functions of a Minister of the Crown under the Acts mentioned in paragraphs (a) to (i) were, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 ([c. 32](#)), those functions were transferred to the Welsh Ministers immediately after the end of the initial period as defined by section 161(5) of that Act.
- (2)** [1980 c. 65](#). Paragraph 14(7) was substituted by the Telecommunications Act 1984 ([c. 12](#)), Schedule 4, paragraph 75(6) and amended by the Communications Act 2003 ([c. 21](#)), Schedule 17, paragraph 52.
- (3)** Paragraph 16(9) was inserted by the Telecommunications Act 1984, Schedule 4, paragraph 75(7) and amended by the Communications Act 2003, Schedule 17, paragraph 52.
- (4)** [1981 c. 64](#). Section 26(8) was substituted by the Telecommunications Act 1984, Schedule 4, paragraph 79(6) and amended by the Communications Act 2003, Schedule 17, paragraph 57.
- (5)** Section 39(7) was inserted by the Telecommunications Act 1984, Schedule 4, paragraph 79(7) and amended by the Communications Act 2003, Schedule 17, paragraph 57.
- (6)** [1988 c. 50](#). Paragraph 12(8) was amended by the Communications Act 2003, Schedule 17, paragraph 94.
- (7)** Paragraph 14(10) was amended by the Communications Act 2003, Schedule 17, paragraph 94.
- (8)** [1990 c. 8](#). By virtue of the Environment Act 1995 ([c. 25](#)), Schedule 8, paragraph 2, sections 272 and 274 have effect as if a National Park authority were a local authority for the purposes of the 1990 Act. Sections 272 to 274 have been applied with modifications by the Highways Act 1980 ([c. 66](#)), section 21 and Schedule 5, by the Conwy Tunnel (Supplementary Powers) Act 1983 ([c. 7](#)), Schedule 1, paragraph 8, by the Road Traffic (Driver Licensing and Information Systems) Act 1989 ([c. 22](#)), Schedule 4, paragraph 1, by the Crossrail Act 2008 ([c. 18](#)), section 9, by [S.I. 2008/1261](#), Schedule 11, paragraph 1 (made under section 16 of the Harbours Act 1964 ([c. 40](#))) and by numerous orders made under the Transport and Works Act 1992 ([c. 42](#)), sections 1, 3 and 5 and Schedule 1 – see, for example, [S.I. 2009/2364](#), Schedule 8, paragraph 1 and Schedule 9, paragraph 4, [S.I. 2009/2728](#), Schedule 6 and [S.I. 2010/1721](#), Schedule 8, paragraph 1.
- (9)** Section 273(8) was amended by the Communications Act 2003, Schedule 17, paragraph 103. See footnote (h) above.
- (10)** See footnote (h) above.
- (11)** [1998 c. 45](#). Paragraph 9(8) was amended by the Communications Act 2003, Schedule 17, paragraph 155, by [S.I. 2007/3224](#), Schedule, paragraph 8 and by [S.I. 2009/2748](#), Schedule, paragraph 5.

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- (k) paragraph 11(10)(b) of that Schedule(**12**);
- (l) paragraph 8(4)(b) of Schedule 4 to the Housing and Regeneration Act 2008(**13**);
- (m) paragraph 15(2)(b) of that Schedule(**14**);
- (n) paragraph 6(3) of Part 4 of Schedule 17 to the Crossrail Act 2008(**15**).

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(12) Paragraph 11(10) was amended by the Communications Act 2003, Schedule 17, paragraph 155, by [S.I. 2007/3224](#), Schedule, paragraph 8 and by [S.I. 2009/2748](#), Schedule, paragraph 5.

(13) [2008 c. 17](#). Paragraph 8(4) was amended by [S.I. 2009/2748](#), Schedule, paragraph 9.

(14) Paragraph 15(2) was amended by [S.I. 2009/2748](#), Schedule, paragraph 9.

(15) [2008 c. 18](#). Paragraph 6(3) was amended by [S.I. 2009/2748](#), Schedule, paragraph 10.