

EXPLANATORY MEMORANDUM TO
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT
MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

2015 No. 595

AND

THE TOWN AND COUNTRY PLANNING (SECTION 62A APPLICATIONS)
(PROCEDURE AND CONSEQUENTIAL AMENDMENTS) (AMENDMENT)
ORDER 2015

2015 No. 797

1. This explanatory memorandum has been prepared by the Department for Communities and Local Government and is laid before Parliament by Command of Her Majesty.
2. **Purpose of the instrument**
 - 2.1 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (“The Development Management Procedure Order 2015”) consolidates the provisions of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (S.I. 2010/2184) (“the 2010 Order”) and the 15 subsequent amending instruments which have amended the 2010 Order in so far as they apply to England. In addition to the consolidation the Development Management Procedure Order 2015 also includes further substantive changes set out in section 7 below.
 - 2.2 The Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) (Amendment) Order 2015 (“section 62A Amendment Order 2015”) amends the Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) Order 2013, (“the section 62A Order”) to apply, where relevant, the Development Management Procedure Order 2015 provisions to major applications submitted to the Planning Inspectorate for determination, where the planning authority has been designated as poorly performing under section 62A of the Town and Country Planning Act 1990 (“the 1990 Act”). The section 62A Amendment Order and the Development Management Procedure Order 2015, where referred to together in this Explanatory Memorandum, are referred to as “the Orders”.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 In relation to the new provision for deemed discharge of a planning condition, as described in section 7 below, this is the first exercise of the powers in section 74A of the 1990 Act.

- 3.2 The Town and Country Planning (Development Management Procedure and Section 62A Applications) (Amendment) Order 2014 (S.I. 2014/1532) was reported by the Statutory Instruments Joint Committee at its meeting on 16 July 2014 and special attention of both Houses was drawn to the instrument for defective drafting in respect of article 6. The Government has taken note of the criticism and an appropriate amendment has been made to both the Development Management Procedure Order 2015 and the section 62A Order.

4. Legislative Context

- 4.1 A table of destinations setting out the differences in the numbering of the articles and Schedules of the 2010 Order and the Development Management Procedure Order 2015 is attached as an Annex to this Explanatory Memorandum. The 2010 Order, which the Development Management Procedure Order 2015 consolidates, was itself a consolidation of the procedural provisions of the Town and Country Planning (General Development Procedure) Order 1995 (S.I.1995/419).
- 4.2 Section 62A to 62C of the Town and Country Planning Act 1990 (“the 1990 Act”), which were inserted into the 1990 Act by section 1 of the Growth and Infrastructure Act 2013, allow a planning application, an application for reserved matters consent and certain connected applications to be made directly to the Secretary of State where the local planning authority has been designated by him, provided the planning application is for (or the reserved matters consent relates to) major development. The conditions which must be satisfied before a planning authority may be designated are set out in section 62B of the 1990 Act. This section also references criteria to be published by the Secretary of State to determine whether a local planning authority is not adequately performing their function of determining applications under Part 3 of the 1990 Act. These are contained in the publication *Improving planning performance – criteria for designation (revised 2014)* which was laid before Parliament in June 2014 and came into effect on 23 July 2014. Where a local planning authority is designated, a person wishing to obtain planning permission for major development has a choice: they can submit their application to the local planning authority in the normal way, or they can submit it to the Secretary of State. The section 62A Amendment Order 2015 is made under section 76C of the 1990 Act and amends the section 62A Order which sets out the procedure to be followed when a person decides to make such an application directly to the Secretary of State.
- 4.3 The Development Management Procedure Order 2015 also implements section 29 of the Infrastructure Act 2015 (“the 2015 Act”). Section 74A of the 1990 Act (which is inserted into the 1990 Act by section 29 of the 2015 Act) gives the Secretary of State the power to prescribe a procedure for the deemed discharge of a planning condition. The applicant must first have applied to the local planning authority for the consent, agreement or approval required by the condition and deemed discharge may only take effect where the local planning authority has failed to determine that application within the determination

period and the procedure set out in Part 5 of the Development Management Procedure Order 2015 has been followed.

- 4.4 Section 74A of the 1990 Act provides for the deemed discharge procedure to be prescribed in a development order. Other development orders are made under section 59 of the 1990 Act and set out the procedural detail for planning applications. A new Part and Schedule is inserted into the Development Management Procedure Order 2015 which set out the procedure for deemed discharge and the categories of conditions for which deemed discharge will not be available.
- 4.5 Part 1 of the 2015 Act makes provision for the Secretary of State to appoint strategic highways companies and makes subsequent amendments to the role of the Secretary of State. The Appointment of a Strategic Highways Company Order 2015 (S.I. 2015/376) appoints Highways England Company Limited (“Highways England”) as a strategic highways company for the strategic road network in England with effect from 1st April 2015. Section 19 of the 2015 Act gives the Secretary of State the power by regulations to make consequential amendments to other legislation in connection with the appointment of a strategic highways company. The Infrastructure Act 2015 (Strategic Highways Companies) (Consequential, Transitional and Savings Provisions) Regulations 2015 (S.I. 2015/377) includes amendments to the 2010 Order to reflect the role of Highways England in relation to the strategic road network and the Development Management Procedure Order 2015 incorporates these changes.

5. Territorial Extent and Application

- 5.1 The Orders apply to England only.

6. European Convention on Human Rights

- 6.1 As the instruments are subject to negative resolution procedure and do not amend primary legislation, no statement is required.

7. Policy Background

What is being done and why

- 7.1 The Development Management Procedure Order 2015, amongst other things, sets out the steps local authorities must take with regard to the processing and administration of planning applications, from the point where an application is made through to the way in which decisions are recorded.
- 7.2 In the 5 years since the 2010 Order was last consolidated, it has been amended 15 times. As a result of this, the Department for Communities and Local Government decided to consolidate it in relation to England.
- 7.3 The Development Management Procedure Order 2015 includes the 2010 Order and all amendments made to it up to and including The Infrastructure

Act 2015 (Strategic Highways Companies) (Consequential, Transitional and Savings Provisions) Regulations 2015 that came into force on 1 April 2015. Further minor changes to the 2010 Order have also been made as part of this consolidation exercise, primarily aimed at improving the layout and legibility.

- 7.4 The purpose of consolidating the 2010 Order is to put the procedural requirements for most planning applications in one Order, so there is no longer a need to look up the original instrument and the various amendments separately. This should be of benefit to local authorities, applicants and third parties.
- 7.5 Article 15 (major infrastructure projects: economic impact report) and the corresponding form in Schedule 4 of the 2010 Order has been omitted because the article has not been used. Reference is made to article 5 (applications for outline planning permission) in article 11 (general provisions relating to applications) and article 34 (time periods for decision) to clarify that these general provisions also apply to outline applications. Schedule 2 of the 2010 Order has been removed as this duplicates Part A of the Schedule to the Town and Country Planning (Use Classes) Order 1987. Instead reference to it is made in in the article 2(1) of the Development Management Procedure Order 2015, in the definition of “minor commercial application”.
- 7.6 There are no plans to consolidate The Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) (Amendment) Order 2015 Order with the 2013 Order in the immediate future.

Background to further changes

- 7.7 In addition to the consolidation of the 2010 Order, there are a number of substantive changes included in the Development Management Procedure Order 2015. These are set out below.

Deemed Discharge of planning conditions

- 7.8 A planning condition is a condition imposed on a grant of planning permission that makes otherwise unacceptable development acceptable. Planning conditions can be a useful tool for both applicants and local planning authorities. They can ensure that development can go ahead that might otherwise have been refused and can enhance development. Conditions also offer flexibility that allows applicants to carry out detailed work after a decision on the principle of development has been taken. Conditions generally fall into two broad types: controls over how the development is carried out or its onward operation and conditions requiring the submission and approval of something by the local planning authority before a prescribed part of the development goes ahead.
- 7.9 Some conditions attached to a grant of planning permission specify that further approval from the local authority on an aspect of the development e.g. a scheme of landscaping is required before the development can proceed. To receive this approval, the applicant is required to submit a formal application

to the authority and receive written approval. This process is described as discharging a planning condition. The local authority has 8 weeks (“the determination period”) to decide the application. The Development Management Procedure Order 2015 introduces a procedure to be followed by applicants in order to be able to treat conditions attached to planning permission as being discharged when the local authority has failed to make a decision within the determination period.

- 7.10 It is estimated that over a third of applications are not determined (discharged) on time¹ i.e. within the determination period. As applicants can be required to have such applications approved before proceeding with their developments, any delay in reaching decisions prevents them from starting or continuing with construction.
- 7.11 The Government announced in the Autumn Statement of 2013² that it would legislate to address this issue by providing applicants with the option to treat an application to discharge a planning condition as approved if the local authority had not reached a decision within the determination period. It is anticipated that the policy will incentivise local authorities to give such applications greater priority, which in turn will mean that applications will rarely reach the stage where a deemed discharge could be activated.
- 7.12 The Government explored alternative options to address the issue of delays in discharging planning conditions. A fast track appeal was considered, which would enable applicants to appeal against non determination of an application to discharge a planning condition more quickly. At present, an appeal can be brought for non-determination after the determination period has finished. This was considered ineffective in addressing the underlying issue i.e. improving timeliness and it has the disadvantage of incurring additional costs for the applicant. The promotion of better joint working between applicants and local authorities was also considered. While the Government considers this option has its merits as it encourages the two parties to resolve issues amicably, it would not be effective where relations between applicant and local authority broke down. The Government therefore considered joint working to be a complementary measure rather than an alternative to deemed discharge.

Written justification for planning conditions requiring particular matters to be approved before development starts

- 7.13 The Development Management Procedure Order 2015 introduces a new requirement for local planning authorities to provide written reasons in the decision notice for imposing planning conditions that require particular matters to be approved before development can start; this was also an Autumn Statement 2013³ commitment. This requirement is in addition to the general

¹White Young Green (2009) Improving the process of discharging planning conditions <http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/documents/planningandbuilding/pdf/1419487.pdf>

² <https://www.gov.uk/government/topical-events/autumn-statement-2013>

³ <https://www.gov.uk/government/topical-events/autumn-statement-2013>

justification that local planning authorities are already required to provide for imposing conditions. The measure is intended to help address delays to the start of development caused by pre-commencement conditions on grants of planning permission. The purpose of the measure is to prompt the local planning authority to consider whether pre-commencement conditions are appropriate or whether another trigger point for the approval of the matter would suffice e.g. prior to occupation of the development.

New notification requirement for railway infrastructure managers

- 7.14 The Development Management Procedure Order 2015 introduces a new requirement to notify railway infrastructure managers of planning applications within the vicinity of railway land. This responds to a recommendation made by the Rail Accident Investigation Branch in 2014 that followed their investigation of an incident where a construction drill penetrated a Network Rail tunnel in Hackney. The report investigated the cause of the accident and set out a number of recommendations on different organisations to ensure that steps were taken to avoid similar incidents occurring. One of the recommendations of the report was that the Department for Communities and Local Government should “introduce a process to ensure that Railway Infrastructure Managers are made aware of all planning applications in the vicinity of railway infrastructure. This process should at least meet the intent of the statutory consultation process”⁴. The new proposal contained in the Development Management Procedure Order 2015 will have the effect of making railway infrastructure managers aware of proposed development near their railway. They will then be able to make representations if they have any concerns over the safe operation of their network without putting them under the duty to respond in every instance, as is the case with statutory consultation.

Statutory consultation

- 7.15 Further changes introduced by the Development Management Procedure Order 2015 are in relation to certain requirements for statutory consultation. Statutory consultees are those organisations and bodies, defined by statute, which local planning authorities are legally required to consult before reaching a decision on relevant planning and listed building consent applications and are primarily set out in Schedule 4 of the Development Management Procedure Order 2015.
- 7.16 As part of the Government’s continued work to improve the engagement by statutory consultees within the planning application process, the Development Management Procedure Order 2015 changes the requirements in Schedule 4 for engagement with Natural England, Highways Agency, English Heritage, and requires consultation with the Garden History Society for development likely to affect registered parks and gardens. The changes are intended to tackle instances of unnecessary consultation and to allow these bodies to focus

⁴ Rail Accident Investigation Branch (2014) Rail Accident Report; Penetration and obstruction of a tunnel between Old Street and Essex Road stations, London 8 March 2013
http://www.raib.gov.uk/cms_resources.cfm?file=/140213_R032014_Old_Street.pdf

their resources and technical expertise on those applications where they can add most value and on other activities such as strategic planning. In relation to heritage assets, it will also provide greater consistency inside and outside London and across different types of heritage assets.

- 7.17 The requirement to consult the Garden History Society on planning applications affecting registered parks and gardens was previously set out in a separate Direction issued by the Secretary of State – *Town and Country Planning (Consultation with the Garden History Society) Direction 1995*. To provide greater clarity about this consultation requirement, this Direction has been cancelled and the requirement is now set out in the Development Management Procedure Order 2015.
- 7.18 The requirements for consultation in relation to certain development involving establishments where hazardous substances are held, and in relation to certain development near those establishments, have been updated alongside changes being brought in by the Planning (Hazardous Substances) Regulations 2015, which are being made at the same time as the Orders.

Changes to the Highways Agency

- 7.19 In June 2013, the Chief Secretary to the Treasury announced the Government's intention to transform the Highways Agency into a Government-owned but legally separate company – underpinned by legislation and appointed as a highway authority under licence to transfer the powers and duties needed to operate, manage and enhance the network. The 2015 Act contains the provisions to establish the functions and powers of strategic highways companies and makes subsequent amendments to the role of Secretary of State. Highways England is appointed as the strategic highways company for the whole of England from 1st April 2015.
- 7.20 The functions previously exercised by the Agency in relation to the Strategic Roads Network will now be exercised by Highways England. As Highways England is legally separate from the Secretary of State, it will no longer be able to use the powers attributed to the Secretary of State in relation to trunk roads; the relevant sections of the Development Management Procedure Order 2015 have been amended to reflect this. The arrangements for handling this change were consulted on in October 2013, and further elaborated in April 2014 in the “Government response to consultation on transforming the Highways Agency into a government-owned company”⁵. The Development Management Procedure Order 2015 reflects the consequential changes to the arrangements for highways authorities of trunk roads in regard to their duties as a statutory consultee in the planning application process.
- 7.21 In order to ensure that Highways England remains notified of development that impacts trunk roads and issue advice to the local planning authority, Schedule 4 has been updated to ensure that Highways England is consulted

⁵ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/307286/ha-response-web-version.PDF

where it is the highway authority for the trunk road, rather than the Secretary of State for Transport.

- 7.22 Under Article 31 of the Development Management Procedure Order 2015, the Secretary of State has the power to issue a direction to restrict the grant of permission by a local authority. Article 26 of the 2010 Order governed the application of directions by the Secretary of State in relation to the highways impacts of development applications and ensured the Highway Agency was notified of particular types of development impacting trunk roads. In the Development Management Procedure Order 2015, the power to issue a direction remains with the Secretary of State in Article 31 and Article 26 of the 2010 Order has been revoked.
- 7.23 Some of the instances formerly requiring consultation in Article 26 of the 2010 Order have been consolidated in Schedule 4 of the Development Management Procedure Order 2015, including the requirement to consult on developments that may be affected by the proposed route of a road improvement. Schedule 4 of the Development Management Procedure Order 2015 also requires consultation with the highway authority where the development includes creation of access to a trunk road. This will allow the relevant highway authority to give its decision under section 175B of the Highways Act 1980 (inserted by the 2015 Act), on whether to give consent to the access.

Further changes to statutory consultation requirements

- 7.24 In response to the Government's work to ensure more effective provision of advice to local planning authorities in relation to surface water management, the Development Management Procedure Order 2015 also introduces new requirements to make the Lead local flood authority a statutory consultee on major planning applications with surface water drainage implications. To provide further public reassurance regarding the consideration of water issues relating to shale development, the Government is making water undertakers and sewerage undertakers statutory consultees in respect to planning applications for shale and oil and gas. The Development Management Procedure Order 2015 also amends the requirements for statutory consultation with the Environment Agency, to ensure a proportionate approach in light of changes to local functions.

8 Consultation

Deemed discharge & written justification of conditions

- 8.1 In July 2014 the Government consulted on the proposed procedure of deemed discharge as part of the "Technical Consultation on Planning"⁶. A total of 478 responses to the procedural detail of the deemed discharge measure were received. Local authorities represented the largest group of respondents, followed by those with development interests. The remainder came from a

⁶https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/339528/Technical_consultation_on_planning.pdf

broad range of groups including parish councils, voluntary organisations and members of the public. The Government response to this consultation was published on 4 November 2014.⁷

- 8.2 There was broad support for the deemed discharge procedure proposed. To reflect the consultation responses the Government has increased the list of exemptions from that it had proposed in the consultation.

Statutory consultation and railway notification

- 8.3 The Consultation also sought views on a package of measures to improve the end-to-end planning application process. This included: measures to change the thresholds for statutory consultee involvement in planning applications, a proposal to notify railway infrastructure managers of planning applications for development near railways and sought opinions on consolidation of the 2010 Order. A full response to consultation was published on 23 January 2015.⁸
- 8.4 The proposed consolidation of the 2010 Order received widespread support and it was commonly felt that the consolidation of the amendments into one document would ensure simplification and streamline the planning system for applicants and local planning authorities alike. The proposals to change consultation requirements with Natural England, Highways Agency and English Heritage received support from the majority of respondents, with many of the respondents commenting that the proposals would allow the statutory consultees to focus resources and expertise on the most appropriately sensitive cases.
- 8.5 A clear majority of respondents (78%) supported the proposal to require planning authorities to notify railway infrastructure managers of planning applications within the vicinity of the railway, rather than making them formal statutory consultees.

Changes to the Highways Agency

- 8.6 The Government consulted on transforming the Highways Agency into a Government-owned company, including the proposed changes to the planning system, in October 2014. The changes to the planning system received positive support from a large majority of those who expressed opinions. The continued role of Highways England as a statutory consultee was seen as sensible and proportionate, provided that existing advice for developers at the pre-application stage would continue. A full response was published in April 2014⁹.

Further changes to statutory consultation requirements

⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/370423/Deemed_discharge_gov_response.pdf

⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/397719/150122_Planning_application_process_improvements.pdf

⁹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/307289/ha-response-print-version.PDF

- 8.7 On 18 December 2014, the Government published a consultation on ‘Further changes to statutory consultee arrangements for the planning application processes’¹⁰. This consultation sought views on amending the statutory consultation requirements for the Environment Agency and covered proposals to introduce the Lead local flood authority as a statutory consultee on development with sustainable drainage implications. The Government also sought views on whether there were other types of development the Lead local flood authority should be consulted on and whether water companies should be made a statutory consultee for shale oil and gas development. A total of 185 responses to this consultation were received.
- 8.8 94% of those who responded to the question agreed with the proposal to make Lead local flood authorities a statutory consultee in relation to surface water drainage and respondents confirmed that local planning authorities would require this expertise and technical advice. There was also broad agreement to the proposals taken forward to amend the statutory consultee responsibilities of the Environment Agency and the majority of local government respondents supported the proposals. 98% of the respondents to the proposal to make water companies statutory consultees in respect of shale oil and gas development were supportive. The 29 water companies that responded agreed with the broad proposal to make water companies statutory consultees in respect to shale oil and gas development. A full response to the consultation was published on 9 March 2015¹¹.

9. Guidance

- 9.1. There are no plans to issue specific new guidance for the Development Management Procedure Order 2015. New planning practice guidance has been issued recently in the launch of the new on-line tool at <http://planningguidance.planningportal.gov.uk/> that includes an explanation of the designation process relating to planning applications and this will be updated to reflect the changes to the Development Management Procedure Order 2015.
- 9.2 The on-line planning practice guidance will be updated to cover the new requirements to consult Lead local flood authorities on major planning applications with surface water drainage implications.
- 9.3 On occasion, local planning authorities seek specialist technical advice of third parties e.g. the Environment Agency when they are determining applications to discharge planning conditions and some respondents to the consultation suggested that was sometimes a cause of delays in discharging conditions. To assist in preventing delays caused by third parties, the Government intends to publish supporting guidance about the role of third parties in instances where

¹⁰ <https://www.gov.uk/government/consultations/planning-application-process-statutory-consultee-arrangements>

¹¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/410468/150305_Final_Statutory_Consultee_Consultation_Response_4_.pdf

their advice is sought by local authorities. The case for further guidance will be kept under review.

10. Impact

Business, charities or voluntary bodies

- 10.1 The impact on business or charities or voluntary bodies is considered negligible for these instruments as they primarily regulate local authorities in regard to the processing and administration of planning applications. The requirement to justify the use of pre-commencement planning conditions is expected to provide cost savings to business as it could help reduce costs associated with delays in starting development. Any business, charity or voluntary body bringing forward development that requires planning permission is likely to benefit from the deemed discharge provisions as they will help to reduce costs and delays associated with the slow discharge of planning conditions. The requirement to make water undertakers and sewerage undertakers statutory consultees in respect to shale oil and gas development is considered to have a very small cost impact on these undertakers. Water companies already monitor and respond to shale oil and gas applications. Making them statutory consultees means that water companies will be obliged to respond to mineral planning authorities on shale oil and gas planning applications – which will include ‘no comment’ responses. A small, one-off, familiarisation has also been identified.

Public sector

- 10.2 The impact on the public sector for these instruments is expected to be negligible and the proposals outlined are light touch or de-regulatory measures. The consolidation of the 2010 Order is expected simplify and clarify existing procedures for local planning authorities. For the deemed discharge provision, the impact on the public sector is expected to vary depending on the performance of the authority in discharging conditions within the determination period. Authorities that discharge most planning conditions within the determination period are expected to experience negligible impacts, while authorities that don't, may be required to reprioritise workloads and focus resources to prevent an applicant from activating a deemed discharge.
- 10.3 An impact assessment has not been prepared for the section 62A Amendment Order and for the major part of the Development Management Procedure Order 2015 for the reasons set out in paragraphs 10.1 and 10.2 above. An Impact Assessment was published in relation to the deemed discharge provisions contained in section 29 of the 2015 Act and can be found at <http://www.parliament.uk/documents/impact-assessments/IA14-07B.pdf> An updated impact assessment for those provisions is being prepared and will be published alongside the Explanatory Memorandum on <http://www.legislation.gov.uk/> as soon as possible.

An impact assessment for the requirement to make water undertakers and sewerage undertakers statutory consultees in respect to planning applications for shale and oil and gas development is also being prepared and will be published alongside the Explanatory Memorandum on <http://www.legislation.gov.uk/> as soon as possible.

11 Regulating small business

- 11.1 This legislation applies to small businesses that bring forward development in England that requires planning permission. The legislation applies to all development requiring planning permission and it is not anticipated to have a disproportionate impact on small businesses.

12 Monitoring & review

- 12.1 The Department for Communities and Local Government will review and evaluate the success of the changes introduced by the Orders.

13. Contacts

- 13.1 Alanna Reid at the Department for Communities and Local Government (Tel: 0303 444 2198 or e-mail: alanna.reid@communities.gsi.gov.uk) can answer any queries regarding the Orders.
- 13.2 Robert Griffith at the Department for Communities and Local Government (Tel: 0303 444 2696 or email: robert.griffith@communities.gsi.gov.uk) can answer queries regarding the provision on deemed discharge of planning conditions in the Development Management Procedure Order 2015.

Annex

Table of Destinations

Provision no. in 2010 Order	Consolidated provision no.
Article 1	Article 1
Article 2	Article 2
Article 3	Article 44
Article 3A	Article 3
Article 4	Article 5
Article 5	Article 6
Article 6	Article 7
Article 7	Article 8
Article 8	Article 9
Article 9	Article 10
Article 10	Article 11
Article 10A	Article 12
Article 11	Article 13
Article 12	Article 14
Article 13	Article 15
Article 14	Article 17
Article 15	Revoked
Article 16	Article 18
Article 17	Article 19
Article 18	Article 20
Article 19	Article 21
Article 20	Article 22
Article 21	Article 23
Article 22	Article 24
Article 23	Article 25
Article 24	Article 26
Article 25	Article 31
Article 26	Revoked
Article 27	Article 32
Article 28	Article 33
Article 29	Article 34
Article 30	Article 27
Article 31	Article 35
Article 32	Article 36
Article 33	Article 37
Article 34	Article 38
Article 35	Article 39
Provision no. in 2010 Order	Consolidated provision no.
Article 36	Article 40
Article 37	Article 41
Article 37A	Article 42

Article 38	Article 43
Article 39	Article 45
Article 40	Article 46
Article 41	Article 47
Schedule 1	Schedule 1
Schedule 1A	Removed
Schedule 2	Schedule 2
Schedule 3	Schedule 3
Schedule 4	Removed
Schedule 5	Schedule 4
Schedule 6	Schedule 5
Schedule 8	Schedule 8
Schedule 9	Schedule 9