WELSH STATUTORY INSTRUMENTS

2009 No. 995 (W.81)

ENVIRONMENTAL PROTECTION, WALES

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

Made - - - 11 April 2009

Laid before the National

Assembly for Wales 15 April 2009

Coming into force 6 May 2009

THE ENVIRONMENTAL DAMAGE (PREVENTION AND REMEDIATION) (WALES) REGULATIONS 2009

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Changes to legislation: The Environmental Damage (Prevention and Remediation) (Wales) Regulations 2009 is up to date with all changes known to be in force on or before 17 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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Signature

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1. Damage to protected species and natural habitats

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SCHEDULE Permits, etc. 1. The following are permits for the purposes of regulation 19(3)... SCHEDULE Remediation PART 1 — Remediation of damage to natural resources other than land Application of Part 1 1. 2. Risk to human health 3. Objective 4. Primary and complementary remediation Compensatory remediation 6. Choice of remediation Identification of complementary and compensatory remediation 7. 8. Options PART 2 — Remediation of damage to land 9 Remediation of damage to land **SCHEDULE Appeals** PART 1 — Appeals when the Welsh Ministers are not the enforcing authority This Part applies when the Welsh Ministers are not the... 1. Notification of appeal must contain— (a) a copy of the... 2. When notification is received, the Welsh Ministers must send a... 3. The Welsh Ministers must notify the appellant of the time... 4. When these are received, the Welsh Ministers must send all... 5. At the same time the Welsh Ministers must notify any... 6. 7. The Welsh Ministers must then decide whether further evidence is... The Welsh Ministers must then refer the appeal to a... 8. Following the conclusion of the appeal by the appointed person,... 9. The person deciding the appeal may make such order as... 10. PART 2 — Appeals when the Welsh Ministers are the enforcing authority If the Welsh Ministers are the enforcing authority, the procedures... 11. SCHEDULE Compensation Compensation for grant of rights 1. 2. Interpretation 3. Period for making an application Manner of making an application 4. Loss and damage for which compensation payable 5. Basis on which compensation assessed 6. 7. Determination of disputes

Explanatory Note

Changes to legislation:

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Changes and effects yet to be applied to:

- Sch. 1 para. 5 words substituted by S.I. 2017/1012 Sch. 6 para. 16(b) (Welsh language version)
- Sch. 2 para. 1A word substituted by S.I. 2023/1332 reg. 9(3)
- Sch. 3 para. 1(ch) omitted by S.I. 2012/630 reg. 19(4)(a)(iii) (Welsh language version)
- Sch. 3 para. 1(b) substituted by S.I. 2011/556 Sch. para. 10(2)(b) (Welsh language version)
- Sch. 3 para. 1(a) word substituted by S.I. 2012/630 reg. 19(4)(a)(i) (Welsh language version)
- Sch. 3 para. 1(c) words omitted by S.I. 2012/630 reg. 19(4)(a)(ii) (Welsh language version)
- Sch. 3 para. 1(a) words substituted by S.I. 2016/1154 Sch. 29 Pt. 2 para. 30(4)(b) (Welsh language version)
- reg. 2(3)(a) word substituted by S.I. 2023/1332 reg. 9(2)
- reg. 10 Title substituted by S.I. 2012/630 reg. 19(2)(a) (Welsh language version)
- reg. 10 heading words substituted by S.I. 2016/1154 Sch. 29 Pt. 2 para. 30(2)(b)(i)
 (Welsh language version)
- reg. 10(1) word substituted by S.I. 2012/630 reg. 19(2)(a)(i)(ii) (Welsh language version)
- reg. 10(1) words substituted by S.I. 2016/1154 Sch. 29 Pt. 2 para. 30(2)(b)(ii) (Welsh language version)
- reg. 11(1) words substituted by S.I. 2016/1154 Sch. 29 Pt. 2 para. 30(3)(b) (Welsh language version)