
WELSH STATUTORY INSTRUMENTS

2012 No. 793

**The Planning (Listed Buildings and
Conservation Areas) (Wales) Regulations 2012**

Interpretation

2.—(1) In these Regulations—

“the Act” (“*y Ddeddf*”) means the Planning (Listed Buildings and Conservation Areas) Act 1990; and

“electronic communication” (“*cyfathrebiad electronig*”) has the meaning given in section 15(1) of the Electronic Communications Act 2000(1).

(2) In these Regulations, in relation to the use of electronic communications for any purpose of these Regulations which is capable of being effected electronically—

(a) the expression “address” (“*cyfeiriad*”) includes any number or address used for the purposes of such communications, except that where these Regulations impose an obligation on any person to provide a name and address to another person, the obligation is not fulfilled unless the person on whom it is imposed provides a postal address;

(b) references to forms, plans, notices and other documents, or to copies of such documents, include references to such documents or copies of them in electronic form.

(3) Paragraphs (4) to (7) apply where an electronic communication is used by a person for the purpose of fulfilling any requirement in these Regulations to give or send any form, plan, notice or other document to any other person.

(4) The requirement must be taken to be fulfilled where the form, plan, notice or other document transmitted by means of the electronic communication is—

(a) capable of being accessed by the recipient,

(b) legible in all material respects, and

(c) sufficiently permanent to be used for subsequent reference.

(5) In paragraph (4), “legible in all material respects” (“*yn ddarllenadwy ym mhob manylyn o bwys*”) means that the information contained in the form, plan, notice or other document is available to the recipient to no lesser extent than it would be if sent or given by means of a document in printed form.

(6) Where the electronic communication is received outside the recipient’s business hours, it must be taken to have been received on the next working day; and for this purpose and the purposes of paragraph (2) of regulation 8, “working day” (“*diwrnod gwaith*”) means a day which is not a Saturday, Sunday, Bank Holiday or other public holiday.

(7) A requirement in these Regulations that any document should be in writing is fulfilled where that document meets the criteria in paragraph (4), and “written” (“*yn ysgrifenedig*”) and cognate expressions are to be construed accordingly.

(1) 2000 c. 7. Section 15(1) was amended by section 406(1) and Schedule 17, paragraph 158 of the Communications Act 2003 (c. 21).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
