
WELSH STATUTORY INSTRUMENTS

2012 No. 843

The Land Compensation Development (Wales) Order 2012

Interpretation

2.—(1) In this Order—

“1974 Order” (“*Gorchymyn 1974*”) means the Land Compensation Development Order 1974(1); and

“electronic communication” (“*cyfathrebiad electronig*”) has the meaning given in section 15(1) of the Electronic Communications Act 2000(2) (general interpretation).

(2) Any reference in this Order to a numbered section is a reference to the section so numbered in the Land Compensation Act 1961(3).

(3) Paragraphs (4) to (7) apply where an electronic communication is used by a person to make an application for a certificate under section 17 to, or to request information under article 5 from, a local planning authority and in those paragraphs “the recipient” means that local planning authority.

(4) The application or request will not be taken to have been made unless the document transmitted by 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” means that the information contained in the 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 electronic communication is received by the recipient outside the recipient’s business hours, it will be taken to have been received on the next working day; and for this purpose “working day” means a day which is not a Saturday, Sunday, Bank Holiday or other public holiday.

(7) A requirement in this Order that any document must be in writing is fulfilled where the document meets the criteria in paragraph (4), and “written” and cognate expressions are to be construed accordingly.

(1) S.I.1974/539; amended by S.I.1986/435.

(2) 2000 c. 7; section 15(1) was amended by section 406 of, and paragraph 158 of Schedule 17 to, the Communications Act 2003 (c. 21).

(3) Sections 17 and 18 will be substituted by section 232(3) of the Localism Act 2011 (c. 20) on a date to be appointed.