
WELSH STATUTORY INSTRUMENTS

2015 No. 1987 (W. 297) (C. 123)

TOWN AND COUNTRY PLANNING, WALES

The Planning (Wales) Act 2015 (Commencement No. 2 and Transitional and Saving Provisions) Order 2015

Made - - - - 2 December 2015

The Welsh Ministers make the following Order in exercise of the powers conferred on them by section 58(4) of the Planning (Wales) Act 2015⁽¹⁾.

Title and interpretation

1.—(1) The title of this Order is the Planning (Wales) Act 2015 (Commencement No. 2 and Transitional and Saving Provisions) Order 2015.

(2) In this Order—

“the 2004 Act” (“*Deddf 2004*”) means the Planning and Compulsory Purchase Act 2004⁽²⁾;

“the 2015 Act” (“*Deddf 2015*”) means the Planning (Wales) Act 2015.

Provisions coming into force on 4 January 2016

2. The appointed day for the coming into force of section 3 of the 2015 Act so far as it substitutes section 60 of the 2004 Act with new sections 60, 60A and 60B is 4 January 2016.

3. The appointed day for the coming into force of the following sections of the 2015 Act so far as they are not already in force is 4 January 2016—

- (a) section 11;
- (b) section 12;
- (c) section 13;
- (d) section 14; and
- (e) section 31.

Provisions coming into force on 16 March 2016

4. The appointed day for the coming into force of the following sections of the 2015 Act so far as they are not already in force is 16 March 2016—

(1) 2015 anaw 4.
(2) 2004 c. 5.

- (a) section 15(1) and (2);
- (b) section 40;
- (c) section 41; and
- (d) section 42.

Provisions coming into force on 1 April 2016

5. The appointed day for the coming into force of the following sections of the 2015 Act is 1 April 2016—

- (a) section 2; and
- (b) section 15(3).

Transitional and saving provisions

6. Sections 2 and 11(3) of the 2015 Act do not apply to a local development plan that has been submitted for examination in accordance with Part 6 of the 2004 Act when the sections come into force. The sections apply to such a plan after it is adopted or approved in accordance with Part 6 of the 2004 Act.

7. Section 60 of the 2004 Act continues to have effect as if section 3 of the 2015 Act had not been commenced by article 2.

2 December 2015

Carl Sargeant
Minister for Natural Resources, one of the Welsh
Ministers

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the second Commencement Order made by the Welsh Ministers under the Planning (Wales) Act 2015 (“the 2015 Act”).

Articles 2 and 3 of the Order bring the following sections of the 2015 Act into force on 4 January 2016:

section 3 (preparing and revising the National Development Framework for Wales) so far as it substitutes section 60 of the Planning and Compulsory Purchase Act 2004 with new sections 60, 60A and 60B;

section 11 (Welsh language);

section 12 (period for which local development plan has effect);

section 13 (withdrawal of local development plan);

section 14 (Welsh Ministers’ power to direct preparation of joint local development plan); and

section 31 (Welsh language).

Article 4 of the Order brings the following sections of the 2015 Act into force on 16 March 2016:

section 15(1) and (2) (joint planning boards: functions relating to surveys and local development plans);

section 40 (joint planning boards to be hazardous substances authorities);

section 41 (power to make provision enabling joint planning boards to exercise development management functions in National Parks); and

section 42 (joint planning boards: power to make consequential and supplementary provision).

Article 5 of the Order brings the following sections of the 2015 Act into force on 1 April 2016:

section 2 (sustainable development); and

section 15(3) (joint planning boards: functions relating to surveys and local development plans).

Articles 6 and 7 of the Order set out the transitional and saving arrangements that apply to the commencement of the provisions in articles 2, 3(a) and 5(a).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by a Commencement Order made before the date of this Order:

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No</i> |
|------------------|-----------------------------|--|
| Section 4 | 5 October 2015 | S.I. 2015/1736 (W. 237) (C. 106) |

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

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No</i> |
|----------------------|-----------------------------|--|
| Part 1 of Schedule 1 | 5 October 2015 | S.I. 2015/1736 (W. 237) (C. 106) |

See section 58(1) of the Act for the provisions which came into force on the day the Act received Royal Assent and section 58(2) for the provisions which came into force 2 months after the Act received Royal Assent.