

Changes to legislation: There are currently no known outstanding effects for the Mobile Homes (Wales) Act 2013, SCHEDULE 5. (See end of Document for details)

SCHEDULE 5 **E+W**

(introduced by section 58)

TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

Pending applications for site licences

- 1 An application for a site licence under the Caravan Sites and Control of Development Act 1960 in respect of a regulated site which has been made to, but not determined by, a local authority before Part 2 comes into force is to be treated after the coming into force of that Part as an application to the local authority for a site licence under that Part in respect of the regulated site.

Temporary continuation of existing site licences

- 2 (1) The coming into force of Part 2 and paragraph 1(2) of Schedule 4 does not affect the continuing operation of the provisions of the Caravan Sites and Control of Development Act 1960 in relation to site licences continued in force under this paragraph.
- (2) A site licence under the Caravan Sites and Control of Development Act 1960 which is in force on the coming into force of Part 2 in respect of a regulated site continues in force until the end of the initial period unless—
- (a) it is revoked during the initial period, or
 - (b) an application for a site licence in respect of the regulated site under Part 2 has been made during the initial period.
- (3) If the site licence under the Caravan Sites and Control of Development Act 1960 is revoked during the initial period it continues in force until its revocation.
- (4) If an application for a site licence in respect of the regulated site under Part 2 is made during the initial period, the site licence under the Caravan Sites and Control of Development Act 1960 continues in force until it is determined (whether during or after the end of the initial period).
- (5) In this paragraph and paragraph 3, “the initial period” means the period of 6 months beginning with the day on which Part 2 comes into force.

Time for determining site licence

- 3 Where an application for a site licence in respect of a regulated site is made under Part 2 before the end of the initial period and at a time when a site licence under the Caravan Sites and Control of Development Act 1960 is in force in respect of the regulated site, section 7(2) has effect in relation to the application as if for “2 months” there were substituted “6 months”.

Continuation of existing model standards

- 4 Any model standards made by the Welsh Ministers under section 5(6) of the Caravan Sites and Control of Development Act 1960 which are in force immediately before the coming into force of Part 2 have effect after that time (until they are replaced) as if made under section 10.

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Pre-commencement revocations

- 5 The reference in section 7(5) to the revocation of a site licence under section 18 or 28 includes a revocation of a site licence under the Caravan Sites and Control of Development Act 1960 under section 9 of that Act.

Pre-commencement offences to count for certain purposes

- 6 The reference in subsection (4)(b) of section 18 to the offence under subsection (1) of that section includes an offence under section 9 of the Caravan Sites and Control of Development Act 1960 in relation to a site licence under that Act in relation to the same land.

Prosecution of pre-commencement offences

- 7 Nothing in any provision of this Act affects the operation of any enactment in relation to offences committed before that provision comes into force.

Old transitionals and savings

- 8 Any transitional provision or saving relating to the coming into force of any provision reenacted in this Act which is capable of having effect in relation to the provision as so reenacted has the same effect in relation to the provision as so reenacted as it had in relation to the provision that it re-enacts.

Temporary reduction of maximum penalty for either way offence tried summarily

- 9 In the case of an offence committed before [^{F1}2 May 2022], section 43(3)(a) has effect as if for "[^{F2}the general limit in a magistrates' court]" there were substituted "6 months".

Textual Amendments

- F1** Words in Sch. 5 para. 9 substituted (28.4.2022) by The Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022 (S.I. 2022/500), regs. 1(2), 5(1), **Sch. Pt. 1**
- F2** Words in Sch. 5 para. 9 substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1** table

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