

## SCHEDULE 4

Article 4(2)

### UK STATUTORY INSTRUMENTS

#### Burry Inlet Cockle Fishery Order 1965

1. The Burry Inlet Cockle Fishery Order 1965 <sup>M1</sup> is amended as follows.

##### Marginal Citations

**M1** [S.I. 1965/1235](#) as amended by [S.I. 2010/630](#).

- 2.—(1) Article 2 is amended as follows.

(2) In paragraph (1), for “the Environment Agency (hereinafter referred to as “the Agency”)” substitute “ the Natural Resources Body for Wales (hereinafter referred to as “the NRBW”) ”.

(3) In paragraph (3), for “Agency” substitute “ NRBW ”.

3. In articles 3 to 9, for “Agency”, in each place where it occurs, substitute “ NRBW ”.

#### Salmon and Migratory Trout (Restrictions on Landing) Order 1972

4.—(1) Article 4 of the Salmon and Migratory Trout (Restrictions on Landing) Order 1972 <sup>M2</sup> is amended as follows.

(2) The existing provision becomes paragraph (1).

(3) After paragraph (1) insert—

“(2) For the purposes of paragraph (1), the Natural Resources Body for Wales is the River Authority having jurisdiction in any waters included in the area in relation to which that Body exercises its functions relating to fisheries by virtue of section 6(7A) of the Environment Act 1995.”

##### Marginal Citations

**M2** [S.I. 1972/1966](#) as amended by [S.I. 1975/639](#), [S.I. 1983/58](#).

#### Plant Varieties and Seeds Tribunal Rules 1974

5. The Plant Varieties and Seeds Tribunal Rules 1974 <sup>M3</sup> are amended as follows.

##### Marginal Citations

**M3** [S.I. 1974/1136](#) as amended by [S.I. 2002/3198](#), [Constitutional Reform Act 2005 \(c. 4\)](#), [Schedule 4, Part 1, paragraph 80](#), [S.I. 2008/2683](#).

- 6.—(1) Rule 2(1) is amended as follows.

(2) In the definition of “respondent authority”, in paragraph (a), for “, the Forestry Commissioners;” substitute—

“—

- (i) the Forestry Commissioners, where the appeal is made against their decision;

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(ii) the Welsh Ministers, where the appeal is made against their decision;”.

7.—(1) In Schedule 1, Form 8 is amended as follows.

(2) In paragraph 1(c), for “the Forestry Commissioners” substitute “ (the Forestry Commissioners) (or the Welsh Ministers) ”.

**Forestry (Felling of Trees) Regulations 1979**

8. The Forestry (Felling of Trees) Regulations 1979 <sup>M4</sup> are amended as follows.

<p><b>Marginal Citations</b></p> <p><b>M4</b> <a href="#">S.I. 1979/791</a> as amended by <a href="#">S.I. 1987/632</a>, <a href="#">S.I. 2003/2155</a>.</p>
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9. In regulation 3(1)—

- (a) in the definition of “the conservator”, after “the Commissioners” insert “ or the NRBW's ”;
- (b) in the appropriate place insert—  
““the NRBW” means the Natural Resources Body for Wales;”.

10. In regulation 4, after “the Commissioners” insert “ or the NRBW ”.

11. In regulation 6—

- (a) after “the Commissioners” insert “ or the NRBW ”;
- (b) after “the Commissioners” insert “ or the NRBW's ”.

12. In regulations 7, 8A, 9, 10, 12(1), 13 and 15, after “the Commissioners” insert “ or the NRBW ”.

13. In regulation 16 after “The Commissioners” insert “ , the NRBW ”.

14.—(1) Schedule 1 is amended as follows.

(2) In Forms 1, 3 and 10—

- (a) after “Commissioners”, in each place where it occurs, insert “ \* ”;
- (b) after “Commission”, in each place where it occurs, insert “ \* ”;
- (c) at the end of each form insert—

“\* in relation to Wales, “the Natural Resources Body for Wales” must be substituted for “the Forestry Commissioners

, “the Commissioners” and “Forestry Commission” in this form ”.

(3) In Forms 4 to 9—

- (a) after “Commissioners”, in each place where it occurs, insert “ \* ”;
- (b) at the end of each form insert—

“\* in relation to Wales, “the Natural Resources Body for Wales” must be substituted for “the Forestry Commissioners

in this form ”.

## Forestry (Exceptions from Restriction of Felling) Regulations 1979

15.—(1) Regulation 4(5) of the Forestry (Exceptions from Restriction of Felling) Regulations 1979<sup>M5</sup> is amended as follows.

(2) After “the Commissioners”, in the first place where it occurs, insert “ or the Natural Resources Body for Wales ”.

(3) After “the Commissioners”, in the second place where it occurs, insert “ , the Natural Resources Body for Wales ”.

(4) In sub-paragraph (a)(ii)—

(a) omit “Forestry”;

(b) after “Commissioners” insert “ or the Natural Resources Body for Wales ”.

(5) In sub-paragraph (b), after “the Commissioners”, in each place where it occurs, insert “ or the Natural Resources Body for Wales ”.

### Marginal Citations

**M5** S.I. 1979/792 as amended by S.I. 1986/1356, S.I. 1990/526, S.I. 1996/252, S.I. 1998/603; modified by Utilities Act 2000 (c. 27), section 76(7).

## Forestry Commission Byelaws 1982

16. The Forestry Commission Byelaws 1982<sup>M6</sup> are amended as follows.

### Marginal Citations

**M6** S.I. 1982/648.

17.—(1) Byelaw 2 is amended as follows.

(2) For “the Commissioners”, in each place where it occurs except in the definition of “the Commissioners”, substitute “the appropriate forestry authority”.

(3) In the appropriate place insert—

““the appropriate forestry authority” means—

(a) in relation to England, the Commissioners;

(b) in relation to Wales, the Natural Resources Body for Wales;”.

18. In byelaws 3, 5, 6 and 7, for “the Commissioners”, in each place where it occurs, substitute “ the appropriate forestry authority ”.

19. In Schedule 1, omit “In the County of Gwent, the part of Monmouth Community which is situated east of River Wye”.

## Drought Orders (Inquiries Procedure) Rules 1984

20.—(1) Rule 3 of the Drought Orders (Inquiries Procedure) Rules 1984<sup>M7</sup> is amended as follows.

(2) After the definition of “appointed person” insert—

““appropriate agency” means—

(a) the Environment Agency, in relation to England;

(b) the Natural Resources Body for Wales, in relation to Wales;”.

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(3) In the definition of “the authority”, for the words from “means” to “or” substitute “ means the appropriate agency or ”.

#### Marginal Citations

**M7** S.I. 1984/999 as modified by Environment Act 1995 (c. 25), section 120(1), **Schedule 22**, paragraph 233(1), and S.I. 2000/253.

### Control of Pesticides Regulations 1986

**21.**—(1) Schedule 4 to the Control of Pesticides Regulations 1986 <sup>M8</sup> is amended as follows.

(2) In paragraph 2(1)(b), for “England and Wales)” substitute “ England), the Natural Resources Body for Wales (if the area in which the intended aerial application is to take place is in Wales) ”.

(3) In paragraph 6, in the definition of “appropriate nature conservation agency”, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

#### Marginal Citations

**M8** S.I. 1986/1510 as amended by S.I. 1997/188, S.I. 2001/880, S.I. 2011/2131.

### Sludge (Use in Agriculture) Regulations 1989

**22.** The Sludge (Use in Agriculture) Regulations 1989 <sup>M9</sup> are amended as follows.

#### Marginal Citations

**M9** S.I. 1989/1263 as amended by S.I. 1990/880, S.I. 1996/593, S.I. 2000/656, S.I. 2010/1820 (W. 177).

**23.** In regulations 7(1) and 8(2), after “Scottish Environment Protection Agency”, in each place where it occurs, insert “ or, in Wales, the Natural Resources Body for Wales ”.

**24.** In regulation 11(1), for “The Environment Agency” substitute “ The Natural Resources Body for Wales ”.

**25.** In Schedule 2, in paragraph 2(2)(c), after “Scottish Environment Protection Agency” insert “ or, in Wales, the Natural Resources Body for Wales ”.

### Road Vehicles Lighting Regulations 1989

**26.**—(1) Regulation 3(2) of the Road Vehicles Lighting Regulations 1989 <sup>M10</sup> is amended as follows.

(2) In the Table, in the definition of “Emergency vehicle”, in column 2, after paragraph (d) insert—

“(da) a vehicle owned by the Natural Resources Body for Wales for the purposes of its functions relating to forestry and woodlands and used from time to time for the purposes of fighting fires;”.

**Marginal Citations**

**M10** S.I. 1989/1796 as amended by S.I. 1992/1217, S.I. 1994/2280, S.I. 1994/2567, S.I. 1996/3016, S.I. 2001/560, S.I. 2004/3168, S.I. 2005/2559, S.I. 2005/2929 (W. 214), S.I. 2005/3169, S.I. 2006/594, S.I. 2006/1914, S.I. 2008/1277, S.I. 2009/3220, S.I. 2010/1172, S.I. 2011/935.

**General Drainage Charges (Forms) Regulations 1990**

27. The General Drainage Charges (Forms) Regulations 1990<sup>M11</sup> are amended as follows.

**Marginal Citations**

**M11** S.I. 1990/564 as modified by Environment Act 1995 (c. 25), section 120(1), Schedule 22, paragraph 233(1).

28. In regulations 2 and 3, for the words from “by” to “shall” substitute “ by the Environment Agency or the Natural Resources Body for Wales shall ”.

29.—(1) The Schedule is amended as follows.

(2) In Form 1—

- (a) for the words before “, in exercise” substitute “ The [Environment Agency] [Natural Resources Body for Wales] (*delete as appropriate*) ”;
- (b) for the words from “Seal” to “is” substitute “ Seal of the [Environment Agency] [Natural Resources Body for Wales] (*delete as appropriate*) is ”;
- (c) for the words from “resolution” to “dated” substitute “ resolution of the [Environment Agency] [Natural Resources Body for Wales] (*delete as appropriate*) dated ”.

(3) In Form 2—

- (a) in the heading, for the second line substitute— “ **The [Environment Agency] [Natural Resources Body for Wales]** (*delete as appropriate*) ”;
- (b) in the first paragraph, for the words before “have raised” substitute “ The [Environment Agency] [Natural Resources Body for Wales] (*delete as appropriate*) ”;
- (c) in the paragraph following the table, for the words from “to the” to “Region” substitute “ to the [Environment Agency Region] [Natural Resources Body for Wales] (*delete as appropriate*) ”;
- (d) for the paragraph beginning “By order” substitute— “ By order of the [Environment Agency] [Natural Resources Body for Wales] (*delete as appropriate*) ”;
- (e) in note (a), for the words from “known to” to “insert” substitute “ known to the Environment Agency or the Natural Resources Body for Wales (as appropriate), insert ”.

**Planning (Hazardous Substances) Regulations 1992**

30.—(1) Regulation 10(1) of the Planning (Hazardous Substances) Regulations 1992<sup>M12</sup> is amended as follows.

(2) For sub-paragraph (e) substitute—

- “(e) the Environment Agency, where the land to which the application relates is in England;

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(ea) the Natural Resources Body for Wales, where the land to which the application relates is in Wales.”.

(3) In sub-paragraph (l), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

#### Marginal Citations

**M12** [S.I. 1992/656](#) as amended by [S.I. 1994/2567](#); modified by Environment Act 1995, section 120(1), Schedule 22, paragraph 233(1); and amended by [S.I. 1996/252](#), [S.I. 1999/981](#), [S.I. 2005/1082](#), [S.I. 2006/1388](#) (W. 138), [S.I. 2010/450](#) (W. 48).

### Town and Country Planning (Control of Advertisements) Regulations 1992

**31.** In regulation 2(1) of the Town and Country Planning (Control of Advertisements) Regulations 1992 <sup>M13</sup>, in the definition of “statutory undertaker”, for the words from “postal service” (in the second place where it occurs) to “water” substitute “ postal service, the Environment Agency, the Natural Resources Body for Wales, any water ”.

#### Marginal Citations

**M13** [S.I. 1992/666](#) as amended by [S.I. 1994/2351](#); modified by Environment Act 1995 (c. 25), section 120(1), [Schedule 22](#), paragraph 233(1); and amended by [S.I. 1996/252](#), [S.I. 1996/525](#), [S.I. 1999/1810](#), [S.I. 2001/1149](#), [S.I. 2001/4050](#), [S.I. 2003/2155](#), [S.I. 2005/3050](#), [S.I. 2012/791](#) (W. 106); modified by [S.I. 2003/284](#).

### Housing (Right to Buy) (Prescribed Persons) Order 1992

**32.** In the Schedule to the Housing (Right to Buy) (Prescribed Persons) Order 1992 <sup>M14</sup>, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

#### Marginal Citations

**M14** [S.I. 1992/1703](#) as amended by [S.I. 1994/2567](#); modified by Environment Act 1995 (c. 25), section 120(1), [Schedule 22](#), paragraph 233(1); and amended by [S.I. 1996/2651](#), [S.I. 2003/1615](#), [S.I. 2004/696](#), [S.I. 2005/2929](#) (W. 214), [S.I. 2012/1659](#).

### Public Path Orders Regulations 1993

**33.** In Schedule 1 to the Public Path Orders Regulations 1993 <sup>M15</sup>, in Forms 2 and 3, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

#### Marginal Citations

**M15** [S.I. 1993/11](#) as amended by [S.I. 1995/451](#), [S.I. 1999/416](#), [S.I. 2006/1177](#).

### General Drainage Charges (Relevant Quotient) Regulations 1993

**34.** In regulation 3 of the General Drainage Charges (Relevant Quotient) Regulations 1993 <sup>M16</sup>, for the words from “issued by” to “Regulations 1993” substitute “ issued by the Environment Agency

or the Natural Resources Body for Wales in respect of the district under the Flood and Coastal Erosion Risk Management (Levies) (England and Wales) Regulations 2011<sup>M17</sup>”.

**Marginal Citations**

**M16** S.I. 1993/165 as modified by Environment Act 1995 (c. 25), section 120(1), Schedule 22, paragraph 233(1).

**M17** This Schedule makes provision for the Environment Agency (Levies) (England and Wales) Regulations 2011 (S.I. 2011/696) to be renamed the Flood and Coastal Erosion Risk Management (Levies) (England and Wales) Regulations 2011.

**Drainage Rates (Forms) Regulations 1993**

**35.**—(1) In the Schedule to the Drainage Rates (Forms) Regulations 1993<sup>M18</sup>, Form 2 is amended as follows.

(2) For the entry beginning “Contributions to” substitute— “ Contributions to the [Environment Agency] [Natural Resources Body for Wales] (delete as appropriate) ”.

(3) For the entry beginning “Contribution from” substitute— “ Contribution from the [Environment Agency] [Natural Resources Body for Wales] (delete as appropriate) ”.

**Marginal Citations**

**M18** S.I. 1993/223.

**Surface Waters (River Ecosystem) (Classification) Regulations 1994**

**36.** In regulation 3 of the Surface Waters (River Ecosystem) (Classification) Regulations 1994<sup>M19</sup>, in the closing words, for the words from “determined by” to “accordance” substitute “ determined by the appropriate agency in accordance ”.

**Marginal Citations**

**M19** S.I. 1994/1057 as modified by Environment Act 1995 (c. 25), section 120(1), Schedule 22, paragraph 233(1).

**Urban Waste Water Treatment (England and Wales) Regulations 1994**

**37.** The Urban Waste Water Treatment (England and Wales) Regulations 1994<sup>M20</sup> are amended as follows.

**Marginal Citations**

**M20** S.I. 1994/2841 as modified by Environment Act 1995 (c. 25), section 120(1), Schedule 22, paragraph 233(1); amended by S.I. 2003/1788, S.I. 2005/2035, S.I. 2010/675, S.I. 2011/556.

**38.** In regulation 2(1), in the appropriate places insert the following definitions—

““the appropriate agency” means—

(a) in relation to England, the Environment Agency;

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- (b) in relation to Wales, the Natural Resources Body for Wales;”;
- ““England” includes the territorial sea adjacent to England not forming any part of Wales;”;
- ““Wales” has the meaning given by section 158 of the Government of Wales Act 2006.”

**39.** In regulation 3(1), in sub-paragraphs (a) and (b), for the words from “with” to “for” substitute “with the appropriate agency for”.

**40.—**(1) Regulation 4 is amended as follows.

(2) In paragraph (3)—

- (a) in sub-paragraph (a), for the words before “has certified” substitute “the appropriate agency”;
- (b) in the closing words, for the words from “provided” to “has” substitute “provided and the appropriate agency has”.

**41.—**(1) Regulation 5 is amended as follows.

(2) In paragraph (3), for the words from “where” to “has” substitute “where the appropriate agency has”.

(3) In paragraph (5)(b), for the words before “has certified” substitute “the appropriate agency”.

(4) In paragraph (6), for the words before “shall provide” substitute “The appropriate agency”.

**42.—**(1) Regulation 6 is amended as follows.

(2) In paragraph (2), in the opening words, for the words from “duty” to “its” substitute “duty of the Environment Agency and of the Natural Resources Body for Wales, in exercising their”.

(3) In paragraph (3), for the words before “shall” substitute “The Environment Agency or, as the case may be, the Natural Resources Body for Wales”.

**43.** In regulation 8(2), after “Environment Agency” insert “or, as the case may be, the Natural Resources Body for Wales”.

**44.** In regulation 10(6), for the words after “behalf” substitute “of the appropriate agency”.

**45.—**(1) Regulation 11 is amended as follows.

(2) In paragraph (1), in the opening words, for the words after “duty” substitute “of the appropriate agency”.

(3) In paragraph (3), for the words before “shall retain” substitute “The appropriate agency”.

**46.** In regulation 12, in the opening words, for the words before “shall” substitute “The appropriate agency”.

**47.—**(1) Part 2 of Schedule 3 is amended as follows.

(2) In paragraph 1, in sub-paragraphs (a) and (c), for the words before “shall” substitute “The appropriate agency”.

## **Town and Country Planning (General Permitted Development) Order 1995**

**48.** The Town and Country Planning (General Permitted Development) Order 1995 <sup>M21</sup> is amended as follows.



#### Marginal Citations

**M21** S.I. 1995/418 as modified by Environment Act 1995 (c. 25), section 120(1), **Schedule 22**, paragraph 233(1); amended by S.I. 1996/252, S.I. 1996/528, S.I. 1997/366, S.I. 1999/293, S.I. 1999/416, S.I. 1999/1661, S.I. 1999/1783, Utilities Act 2000 (c. 27), **section 76(7)**, S.I. 2001/1149, S.I. 2001/4050, S.I. 2002/1878 (W. 187), S.I. 2003/2155, S.I. 2004/945, S.I. 2004/3156 (W. 273), S.I. 2006/124 (W. 17), S.I. 2006/1386 (W. 136), S.I. 2007/952 (W. 83), S.I. 2008/502 (W. 43), S.I. 2009/2193 (W. 185), S.I. 2012/1346 (W. 167), S.I. 2012/2318 (W. 252); modified by Countryside and Rights of Way Act 2000 (c. 37), **section 93**, **Schedule 15**, paragraph 17.

**49.** In article 1(2)—

- (a) in the definition of “area of outstanding natural beauty”, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”;
- (b) in the definition of “statutory undertaker”, for the words from “Authority” to “water” substitute “ Authority, the Environment Agency, the Natural Resources Body for Wales, any water ”.

**50.**—(1) Schedule 2 is amended as follows.

(2) In Part 14, for the words after “other than” substitute “ the Environment Agency and the Natural Resources Body for Wales ”.

(3) In Part 15, in paragraph A, for the words from “by the” to “functions” substitute “ by the Environment Agency or the Natural Resources Body for Wales for the purposes of their respective functions ”.

(4) Accordingly, the heading to Part 15 becomes “ Development by the Environment Agency and the Natural Resources Body for Wales ”.

#### National Park Authorities (Wales) Order 1995

**51.** The National Park Authorities (Wales) Order 1995 <sup>M22</sup> is amended as follows.

#### Marginal Citations

**M22** S.I. 1995/2803 as amended by S.I. 1996/534, S.I. 1996/1224, S.I. 1997/633, S.I. 2007/3423 (W. 304), S.I. 2010/490, S.I. 2012/801 (W. 110).

**52.** In articles 9 and 13, and in Schedule 3, in paragraphs 6(2)(b) and 9, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

#### European Communities (Designation) Order 1996

**53.**—(1) The Schedule to the European Communities (Designation) Order 1996 <sup>M23</sup> is amended as follows.

(2) In the entry in Column (2) relating to the Forestry Commissioners, after “Measures” insert “ applying otherwise than in relation to Wales ”.

(3) After the entry relating to the Forestry Commissioners insert—

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“The Welsh Ministers

Measures applying in relation to Wales and relating to the common agricultural policy of the European Union in respect of forestry.”

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**M23** [S.I. 1996/266](#) as amended by [S.I. 1999/2788](#), [S.I. 2001/3495](#), [S.I. 2002/2840](#), [S.I. 2011/1043](#).

### Environmental Licences (Suspension and Revocation) Regulations 1996

**54.**—(1) Regulation 3 of the Environmental Licences (Suspension and Revocation) Regulations 1996 <sup>M24</sup> is amended as follows.

(2) In the opening words, for “a new Agency” substitute “ the Agency, the Natural Resources Body for Wales or SEPA ”.

(3) In paragraphs (a) and (b), for “new Agency” substitute “ body in question ”.

#### Marginal Citations

**M24** [S.I. 1996/508](#).

### Landfill Tax Regulations 1996

**55.** In regulation 21(5) of the Landfill Tax Regulations 1996 <sup>M25</sup>, after sub-paragraph (a) insert—  
“(aa) the Natural Resources Body for Wales;”.

#### Marginal Citations

**M25** [S.I. 1996/1527](#) as amended by [S.I. 1997/1431](#), [S.I. 1998/61](#), [S.I. 1999/3270](#), [S.I. 2002/1](#), [S.I. 2003/605](#), [S.I. 2003/2096](#), [S.I. 2003/2313](#), [S.I. 2004/769](#), [S.I. 2005/759](#), [S.I. 2006/1054](#), [S.I. 2007/965](#), [2007/1898](#), [S.I. 2007/3538](#), [S.I. 2008/770](#), [S.I. 2008/1482](#), [S.I. 2008/2693](#), [S.I. 2009/1890](#), [S.I. 2009/1930](#), [S.I. 2010/924](#), [S.I. 2010/675](#), [S.I. 2010/2437](#), [S.I. 2011/894](#), [S.I. 2012/885](#).

### Welsh Language Schemes (Public Bodies) Order 1996

**56.** In the Schedule to the Welsh Language Schemes (Public Bodies) Order 1996 <sup>M26</sup>, omit the entries relating to the Countryside Council for Wales.

#### Marginal Citations

**M26** [S.I. 1996/1898](#) as amended by [S.I. 2004/1771](#), [S.I. 2005/3225](#) (W. 237), [S.I. 2005/3226](#) (W. 238), [S.I. 2007/2602](#).

### Control of Pollution (Applications, Appeals and Registers) Regulations 1996

**57.** The Control of Pollution (Applications, Appeals and Registers) Regulations 1996 <sup>M27</sup> are amended as follows.

#### Marginal Citations

**M27** [S.I. 1996/2971](#) as amended by [S.I. 1999/1006](#), [S.I. 2010/675](#).

**58.** In the following provisions, for “Agency” and “Agency's”, in each place where they occur, substitute “ appropriate agency ” and “appropriate agency's” respectively—

- (a) in regulation 1(2), the definition of “register”;
- (b) regulation 8;
- (c) regulation 11.

**59.**—(1) Regulation 12 is amended as follows.

(2) In paragraph (1), for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(3) In paragraph (6), after sub-paragraph (a) omit “and” and insert—

“(aa) the NRBW, if the appeal relates to information which the NRBW has determined is not commercially confidential; and”.

(4) In sub-paragraph (b), after “Agency” insert “, if the appeal relates to information which the Agency has determined is not commercially confidential ”.

**60.** In regulations 13(2)(a) and 15 to 17, for “Agency” and “Agency's”, in each place where they occur, substitute “ appropriate agency ” and “ appropriate agency's ” respectively.

#### **Surface Waters (Abstraction for Drinking Water) (Classification) Regulations 1996**

**61.** The Surface Waters (Abstraction for Drinking Water) (Classification) Regulations 1996 <sup>M28</sup> are amended as follows.

##### **Marginal Citations**

**M28** [S.I. 1996/3001](#) as amended by [S.I. 2000/3184](#), [S.I. 2001/3911](#).

**62.** In regulations 4 to 7, for “the Environment Agency” and “the Agency”, in each place where they occur, substitute “ the appropriate agency ”.

#### **Code of Practice on Environmental Procedures for Flood Defence Operating Authorities (Environment Agency) Approval Order 1996**

**63.** The Code of Practice on Environmental Procedures for Flood Defence Operating Authorities (Environment Agency) Approval Order 1996 <sup>M29</sup> is amended as follows.

##### **Marginal Citations**

**M29** [S.I. 1996/3061](#).

**64.** In the title to the Order and in article 1, after “Environment Agency” insert “ and Natural Resources Body for Wales ”.

**65.**—(1) Article 2 is amended as follows.

(2) In sub-paragraph (a)—

- (a) after “the Environment Agency” insert “ and the Natural Resources Body for Wales ”;
- (b) for “section 6(1), 7 and 8” substitute “ the provisions specified in section 9(5) ”.

(3) In sub-paragraph (b), after “the Environment Agency” insert “ and the Natural Resources Body for Wales ”.

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### Hedgerows Regulations 1997

66.—(1) Part 2 of Schedule 1 to the Hedgerows Regulations 1997<sup>M30</sup> is amended as follows.

(2) In paragraph 6(1)(b), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

#### Marginal Citations

**M30** [S.I. 1997/1160](#) as amended by [S.I. 2003/2155](#), [S.I. 2006/1177](#), [S.I. 2009/1307](#).

### Surface Waters (Fishlife) (Classification) Regulations 1997

67. The Surface Waters (Fishlife) (Classification) Regulations 1997<sup>M31</sup> are amended as follows.

#### Marginal Citations

**M31** [S.I. 1997/1331](#) as amended by [S.I. 2003/1053](#), [S.I. 2009/1264](#).

68.—(1) Regulation 4 is amended as follows.

(2) For “Environment Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(3) In paragraph (5)—

(a) in the opening words, for “Environment Agency's” substitute “ appropriate agency's ”;

(b) in sub-paragraphs (a) and (b), for “Agency” substitute “ appropriate agency ”.

69. In regulation 5(1), for “Agency” substitute “ appropriate agency ”.

70. In regulation 6(3), for “Environment Agency” substitute “ appropriate agency ”.

71. In Part 1 of the Schedule, in the Table, for “the Environment Agency” and “the Agency”, in each place where they occur, substitute “ the appropriate agency ”.

### Surface Waters (Shellfish) (Classification) Regulations 1997

72. The Surface Waters (Shellfish) (Classification) Regulations 1997<sup>M32</sup> are amended as follows.

#### Marginal Citations

**M32** [S.I. 1997/1332](#) as amended by [S.I. 2009/1266](#).

73.—(1) Regulation 4 is amended as follows.

(2) For “Environment Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(3) In paragraph (5)—

(a) for “Environment Agency's” substitute “ appropriate agency's ”;

(b) for “Agency” substitute “ appropriate agency ”.

74. In regulation 5, for “Agency” substitute “ appropriate agency ”.

75. In regulation 6(3), for “Environment Agency” substitute “ appropriate agency ”.

### Surface Waters (Dangerous Substances) (Classification) Regulations 1997

76. In regulation 4 of the Surface Waters (Dangerous Substances) (Classification) Regulations 1997 <sup>M33</sup>, for “the Environment Agency” and “the Agency” substitute “ the appropriate agency ”.

#### Marginal Citations

M33 [S.I. 1997/2560](#).

### Surface Waters (Dangerous Substances) (Classification) Regulations 1998

77. In regulation 4 of the Surface Waters (Dangerous Substances) (Classification) Regulations 1998 <sup>M34</sup>, for “the Environment Agency” and “the Agency” substitute “ the appropriate agency ”.

#### Marginal Citations

M34 [S.I. 1998/389](#).

### Mines (Notice of Abandonment) Regulations 1998

78. In regulation 2 of the Mines (Notice of Abandonment) Regulations 1998 <sup>M35</sup>, after “Agency” insert “ or the NRBW ”.

#### Marginal Citations

M35 [S.I. 1998/892](#).

### Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999

79.—(1) Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 <sup>M36</sup> is amended as follows.

- (2) In the definition of “consultation bodies”, in sub-paragraph (b)—
  - (a) in paragraph (ii), before “and English Nature” insert “ , the Environment Agency ” ;
  - (b) in paragraph (iii), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”;
  - (c) omit paragraph (iv).
- (3) In the definition of “sensitive area”, for sub-paragraph (h) substitute—
  - “(h) an area of outstanding natural beauty designated as such by an order made—
    - (i) under section 87 (designation of areas of outstanding natural beauty) of the National Parks and Access to the Countryside Act 1949; or
    - (ii) under section 82 (designation of areas) of the Countryside and Rights of Way Act 2000;”.

#### Marginal Citations

M36 [S.I. 1999/293](#) as amended by [S.I. 1999/416](#), [S.I. 2000/2867](#), [S.I. 2005/1806](#) (W. 138), [S.I. 2006/1282](#), [S.I. 2006/3099](#) (W. 283), [S.I. 2006/3295](#), [S.I. 2007/2610](#) (W. 221), [S.I. 2008/2335](#) (W. 198), [S.I. 2010/675](#),

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S.I. 2011/988, S.I. 2011/1043, S.I. 2011/2043; modified by Countryside and Rights of Way Act 2000 (c. 37), section 93, Schedule 15, paragraph 17, S.I. 2008/1556.

### Environmental Impact Assessment (Fish Farming in Marine Waters) Regulations 1999

**80.** The Environmental Impact Assessment (Fish Farming in Marine Waters) Regulations 1999<sup>M37</sup> are amended as follows.

#### Marginal Citations

**M37** S.I. 1999/367 as amended by S.I. 2001/1149, S.I. 2011/1043; modified by Countryside and Rights of Way Act 2000 (c. 37), section 93, Schedule 15, paragraph 17.

- 81.**—(1) In regulation 2(1), the definition of “sensitive area” is amended as follows.
- (2) In sub-paragraph (f), omit “or the Countryside Council for Wales, as respects Wales,”.
- (3) After sub-paragraph (f) insert—
- “(fa) an area of outstanding natural beauty in Wales designated as such by an order made—
- (i) under section 87 (designation of areas of outstanding natural beauty) of the National Parks and Access to the Countryside Act 1949; or
- (ii) under section 82 (designation of areas) of the Countryside and Rights of Way Act 2000;”.

**82.** In Schedule 3, in paragraph 2(c), for “, the Countryside Council for Wales and the Environment Agency” substitute “ and the Natural Resources Body for Wales ”.

### National Assembly for Wales (Transfer of Functions) Order 1999

**83.**—(1) Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999<sup>M38</sup> is amended as follows.

- (2) In the entry relating to the Opencast Coal Act 1958—
- (a) for “the Environment Agency” substitute “ the Natural Resources Body for Wales ”;
- (b) after “Environment Act 1995 (Consequential Amendments) Regulations 1996 (S.I. 1996/593)” insert “ and by the Natural Resources Body for Wales (Functions) Order 2013 ”.

#### Marginal Citations

**M38** S.I. 1999/672 to which there are amendments not relevant to this Order.

### Control of Major Accident Hazards Regulations 1999

**84.** The Control of Major Accident Hazards Regulations 1999<sup>M39</sup> are amended as follows<sup>M40</sup>.

#### Marginal Citations

**M39** S.I. 1999/743 as amended by S.I. 2002/2469, S.I. 2005/1088, S.I. 2008/736, S.I. 2008/960, S.I. 2008/1087, S.I. 2008/2337, S.I. 2009/1595.

**M40** Schedule 7 contains transitional provisions relating to these Regulations.

**85.**—(1) Regulation 2(1) is amended as follows.

(2) Omit the definition of “the Agency”.

(3) In the appropriate place insert—

““appropriate agency” in relation to an establishment in—

(a) England, means the Environment Agency;

(b) Scotland, means the Scottish Environment Protection Agency;

(c) Wales, means the Natural Resources Body for Wales;”.

(4) In the definition of “competent authority”, for “Agency” substitute “ appropriate agency ”.

**86.** In regulations 7, 9, 10, 20 and 22, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

### **Water Protection Zone (River Dee Catchment) (Designation) Order 1999**

**87.** In article 3 of the Water Protection Zone (River Dee Catchment) (Designation) Order 1999<sup>M41</sup>, for “the Environment Agency at Chester Road, Buckley, Clwyd” substitute “ the Natural Resources Body for Wales at Chester Road, Buckley, Flintshire ”.

#### **Marginal Citations**

**M41** [S.I. 1999/915](#) as amended by [S.I. 2007/3538](#), [S.I. 2010/675](#).

### **Water Protection Zone (River Dee Catchment) (Procedural and Other Provisions) Regulations 1999**

**88.** The Water Protection Zone (River Dee Catchment) (Procedural and Other Provisions) Regulations 1999<sup>M42</sup> are amended as follows.

#### **Marginal Citations**

**M42** [S.I. 1999/916](#).

**89.** In regulations 2(5) and 4 to 14, for “Agency” and “Agency's”, in each place where they occur, substitute “ appropriate agency ” and “ appropriate agency's ” respectively.

**90.** In regulation 7(2)(c), omit “or, in Wales, the Countryside Council for Wales”.

### **Anti-Pollution Works Regulations 1999**

**91.** The Anti-Pollution Works Regulations 1999<sup>M43</sup> are amended as follows.

#### **Marginal Citations**

**M43** [S.I. 1999/1006](#) as amended by [S.I. 2009/1307](#), [S.I. 2009/3104](#).

**92.** In regulations 1 to 4 and 6(2), for “Agency” and “Agency's”, in each place where they occur, substitute “ appropriate agency ” and “ appropriate agency's ” respectively.

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## **Public Gas Transporter Pipe-line Works (Environmental Impact Assessment) Regulations 1999**

**93.**—(1) Regulation 2(1) of the Public Gas Transporter Pipe-line Works (Environmental Impact Assessment) Regulations 1999<sup>M44</sup> is amended as follows.

(2) In the definition of “the consultation bodies”, in paragraph (d), for “the Countryside Council for Wales and the Environment Agency” substitute “ the Natural Resources Body for Wales ”.

### **Marginal Citations**

**M44** S.I. 1999/1672 as amended by S.I. 1999/416; modified by [Countryside and Rights of Way Act 2000 \(c. 37\)](#), section 93, [Schedule 15](#), paragraph 17; amended by [Utilities Act 2000 \(c. 27\)](#), [section 76\(7\)](#), S.I. 2007/1996, S.I. 2011/1043.

## **Environmental Impact Assessment (Land Drainage Improvement Works) Regulations 1999**

**94.**—(1) Regulation 2(1) of the Environmental Impact Assessment (Land Drainage Improvement Works) Regulations 1999<sup>M45</sup> is amended as follows.

(2) In the definition of “consultation bodies”, in paragraph (b), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

(3) In the definition of “drainage body”, after paragraph (a) insert—

“(aa) the Natural Resources Body for Wales;”.

### **Marginal Citations**

**M45** S.I. 1999/1783 as modified by [Countryside and Rights of Way Act 2000 \(c. 37\)](#), [section 73\(2\)](#); amended by S.I. 2005/1399, S.I. 2006/618, S.I. 2011/1043.

## **Town and Country Planning (Trees) Regulations 1999**

**95.** The Town and Country Planning (Trees) Regulations 1999<sup>M46</sup> are amended as follows.

### **Marginal Citations**

**M46** S.I. 1999/1892 as amended by S.I. 2001/1149, S.I. 2001/4050, S.I. 2003/390 (W. 52), S.I. 2006/1281 (C. 43), S.I. 2012/792 (W. 107).

**96.**—(1) Regulation 10(1) is amended as follows.

(2) For “the Forestry Commissioners”, in each place where it occurs, substitute “ the Natural Resources Body for Wales ”.

(3) In sub-paragraph (b), omit “Commissioners”.

(4) In sub-paragraph (c), for “section 1 (finance for forestry) of the Forestry Act 1979” substitute “ article 10B of the Natural Resources Body for Wales (Establishment) Order 2012 for or in connection with the use or management of land for forestry purposes ”.

**97.**—(1) The Schedule is amended as follows.

(2) In paragraph 4, after “Forestry Commissioners” insert “ and Natural Resources Body for Wales ”.



- (3) In paragraph 5(1)(e)—
- (a) for “the Environment Agency” substitute “ the Natural Resources Body for Wales ”;
  - (b) for “the Agency” substitute “ the Body ”.

### **Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999**

**98.** The Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999<sup>M47</sup> are amended as follows.

#### **Marginal Citations**

**M47** S.I. 1999/2228 as modified by Countryside and Rights of Way Act 2000 (c. 37), section 73(2) and section 93, Schedule 15, paragraph 17; amended by S.I. 2006/3106, S.I. 2011/1043, S.I. 2011/1824.

- 99.**—(1) Regulation 2(1) is amended as follows.
- (2) In the appropriate place insert—
- ““the appropriate forestry body” means, in relation to England, the Commissioners and, in relation to Wales, the Natural Resources Body for Wales;”.
- (3) For the definition of “countryside bodies” substitute—
- ““countryside bodies” means—
- (a) where any part of the land is situated in England, the Environment Agency, Natural England and any other body designated by statutory provision as having specific environmental responsibilities in relation to England; and
  - (b) where any part of the land is situated in Wales, any body designated by statutory provision as having specific environmental responsibilities in relation to Wales;”.
- 100.** In regulation 2(3), for “the Commissioners” substitute “ the appropriate forestry body ”.
- 101.**—(1) Regulation 4 is amended as follows.
- (2) For “the Commissioners”, in each place where it occurs, substitute “ the appropriate forestry body ”.
- (3) In paragraph (3), for “the Commissioners” substitute “ the appropriate forestry body's ”.
- 102.**—(1) In regulations 5 and 6, for “the Commissioners”, in each place where it occurs, substitute “ the appropriate forestry body ”.
- (2) Accordingly, the heading to regulation 6 becomes “ Opinions of the appropriate forestry body ”.
- 103.** In regulations 7 and 9 to 15, for “the Commissioners”, in each place where it occurs, substitute “ the appropriate forestry body ”.
- 104.**—(1) Regulation 16 is amended as follows.
- (2) In the opening words, for “the Commissioners”, substitute “ the appropriate forestry body ”.
- (3) In paragraph (b), for “the Commissioners” substitute “ the appropriate forestry body's ”.
- 105.**—(1) Regulation 17 is amended as follows.
- (2) For “the Commissioners”, in each place where it occurs, substitute “ the appropriate forestry body ”.

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- (3) In paragraph (2), for “the Commissioners” substitute “ the appropriate forestry body's ”.
- (4) In paragraph (5), for “the Commissioner's” substitute “ the appropriate forestry body's ”.
- (5) Accordingly, the heading to regulation 17 becomes “ Appeals against decisions of the appropriate forestry body ”.

**106.**—(1) Regulation 20 is amended as follows.

(2) For “the Commissioners”, in each place where it occurs, substitute “ the appropriate forestry body ”.

(3) In sub-paragraph (4)(a), for “the Commissioners” substitute “ the appropriate forestry body's ”.

**107.** In regulations 21 and 23, for “the Commissioners”, in each place where it occurs, substitute “ the appropriate forestry body ”.

**108.** In regulation 23(1), omit “or suspect”.

**109.**—(1) Regulation 24(1) is amended as follows.

(2) For “England and Wales” substitute “ England or Wales ”.

(3) For “the Commissioners” substitute “ the appropriate forestry body ”.

**110.** In regulation 25, in paragraphs (3)(b) and (5)(b), for “their” substitute “ the appropriate forestry body's ”.

**111.**—(1) Schedule 2 is amended as follows.

(2) In paragraph 1, in the definition of “sensitive area”—

(a) in sub-paragraph (g), omit “or the Countryside Council for Wales, as respects Wales,”;

(b) after sub-paragraph (g) insert—

“(ga) an area of outstanding natural beauty in Wales designated as such by an order made—

(i) under section 87 (designation of areas of outstanding natural beauty) of the National Parks and Access to the Countryside Act 1949; or

(ii) under section 82 (designation of areas) of the Countryside and Rights of Way Act 2000;”.

(3) In paragraph 4, for “the Commissioners”, in each place where it occurs, substitute “ the appropriate forestry body ”.

## **Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999**

**112.**—(1) Regulation 2(1) of the Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999<sup>M48</sup> is amended as follows.

(2) In the definition of “the consultation bodies”—

(a) in sub-paragraph (d), omit “and Wales”;

(b) in sub-paragraph (f), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**Marginal Citations**

**M48** [S.I. 1999/2892](#) as amended by [S.I. 2006/657](#), [S.I. 2008/960](#), [S.I. 2011/1043](#).

**Ionising Radiations Regulations 1999**

**113.**—(1) Schedule 1 to the Ionising Radiations Regulations 1999 <sup>M49</sup> is amended as follows.

(2) In paragraph 1(c)(iv) and (f), for “the Environment Agency” substitute “ the appropriate authority ”.

(3) After paragraph 1 insert—

“**1A** In this Schedule, “the appropriate authority” means—

- (a) in relation to England, the Environment Agency;
- (b) in relation to Wales, the Natural Resources Body for Wales.”

**Marginal Citations**

**M49** [S.I. 1999/3232](#) as amended by [S.I. 2001/2975](#), [S.I. 2008/960](#), [S.I. 2010/675](#), [S.I. 2011/1043](#).

**Water Industry (Prescribed Conditions) Regulations 1999**

**114.** The Water Industry (Prescribed Conditions) Regulations 1999 <sup>M50</sup> are amended as follows.

**Marginal Citations**

**M50** [S.I. 1999/3442](#) as amended by [S.I. 2005/2035](#), [S.I. 2007/2457](#).

**115.** In regulation 3(3)—

- (a) in sub-paragraph (b), before “the Environment Agency” insert “ where the determination relates to an area that is in the area of a water undertaker whose area is wholly in England, ”;
- (b) at the end of sub-paragraph (b) omit “and”;
- (c) after sub-paragraph (b) insert—

“(ba) where the determination relates to an area that is in the area of a water undertaker whose area is partly in England and partly in Wales, the Environment Agency and the Natural Resources Body for Wales; and”.

**116.**—(1) Regulation 4 is amended as follows.

(2) In paragraph (1), for “Environment Agency” substitute “ appropriate agency ”.

(3) After paragraph (3) insert—

“(4) In this regulation “appropriate agency” means—

- (a) where the proposed determination relates to the whole or part of an area of a water undertaker whose area is wholly in England, the Environment Agency;
- (b) where the proposed determination relates to the whole or part of an area of a water undertaker whose area is partly in England and partly in Wales, the Environment Agency and the Natural Resources Body for Wales.”

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## **Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (England and Wales) Regulations 2000**

**117.** The Environmental Protection (Disposal of Polychlorinated Biphenyls and other Dangerous Substances) (England and Wales) Regulations 2000 <sup>M51</sup> are amended as follows.

### **Marginal Citations**

**M51** [S.I. 2000/1043](#) as amended by [S.I. 2000/3359](#), [S.I. 2005/1806](#) (W. 138), [S.I. 2010/1820](#) (W. 177), [S.I. 2011/988](#).

**118.**—(1) Regulation 2(1) is amended as follows.

(2) In the appropriate places insert the following definitions—

““the appropriate authority” means—

- (a) in relation to England, the Environment Agency;
- (b) in relation to Wales, the NRBW;”;

““the NRBW” means the Natural Resources Body for Wales;”.

(3) In the definition of “registered holder”, for “Agency”, in each place where it occurs, substitute “appropriate authority”.

**119.** In regulation 3(5)(b), for “Agency” substitute “appropriate authority”.

**120.**—(1) Regulation 6 is amended as follows.

(2) For “Agency”, in each place where it occurs, substitute “appropriate authority”.

(3) After paragraph (6) insert—

“(7) An application which relates to equipment held or to be held—

- (a) only at a location in England must be made to the Environment Agency;
- (b) only at a location in Wales must be made to the NRBW;
- (c) at a location in both England and Wales must be made to the Environment Agency and the NRBW.”

**121.** In regulation 7, for “Agency”, in each place where it occurs, substitute “appropriate authority”.

**122.** In regulation 8(5), for “Agency”, in each place where it occurs, substitute “appropriate authority”.

**123.**—(1) Regulation 9 is amended as follows.

(2) In paragraph (5)—

- (a) in sub-paragraph (b), omit “and the Welsh Assembly”;
- (b) after sub-paragraph (b) insert—

“(c) exercise the functions in paragraphs (1) to (5) in relation to every location in England.”

(3) After paragraph (5) insert—

“(5A) The NRBW must compile an inventory of the contaminated equipment held at every location in Wales in respect of which there is a registered holder.

(5B) Subject to paragraph (3) an inventory compiled in accordance with paragraph (5A) must record the information specified in paragraph (2).

(5C) The NRBW must—

- (a) before 30 September in each year, review the inventory which it has compiled in accordance with paragraph (5A) or, as the case may be, the most recent revision of that inventory; and
- (b) on or before 30 September in each year provide the Welsh Ministers with a summary which shall include the total for the time being of—
  - (i) the number of registered holders; and
  - (ii) the number of items of equipment of which particulars are registered.”

(4) In paragraph (6), after “paragraph (5)(a)” insert “ and paragraph (5C) ”.

**124.** In regulation 10, for “Agency”, in each place where it occurs, substitute “ appropriate authority ”.

**125.** In regulation 11, in paragraphs (1), (5) and (6), for “Agency”, substitute “ appropriate authority ”.

**126.** In regulation 12 for “Agency” substitute “ appropriate authority ”.

**127.** In regulation 13B, for “The Environment Agency” substitute “ The NRBW ”.

## **Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2000**

**128.** The Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2000 <sup>M52</sup> are amended as follows.

### **Marginal Citations**

**M52** [S.I. 2000/1927](#) as amended by [S.I. 2007/1977](#), [S.I. 2011/1043](#); modified by the [Countryside and Rights of Way Act 2000 \(c. 37\)](#), section 93, [Schedule 15](#), paragraph 17.

**129.**—(1) Regulation 2(1) is amended as follows.

(2) In the definition of “the consultative bodies”—

- (a) in paragraph (c), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”;
- (b) for paragraph (d) substitute—
  - “(d) where the application or proposed application relates to a section 36 consent—
    - (i) the Environment Agency, otherwise than in relation to Wales and the Welsh zone;
    - (ii) the Natural Resources Body for Wales in relation to Wales and the Welsh zone; and”.

(3) In the appropriate place insert—

““Welsh zone” has the meaning given by section 158 of the Government of Wales Act 2006.”

**130.**—(1) In Schedule 2, the definition of “sensitive area” is amended as follows.

(2) In sub-paragraph (h), omit “or the Countryside Council for Wales, as respects Wales,”.

(3) After sub-paragraph (h) insert—

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- “(ha) an area of outstanding natural beauty in Wales designated as such by an order made—
- (i) under section 87 (designation of areas of outstanding natural beauty) of the National Parks and Access to the Countryside Act 1949, or
  - (ii) under section 82 (designation of areas) of the Countryside and Rights of Way Act 2000;”.

### **Pipe-line Works (Environmental Impact Assessment) Regulations 2000**

**131.**—(1) Regulation 2 of the Pipe-line Works (Environmental Impact Assessment) Regulations 2000<sup>M53</sup> is amended as follows.

(2) In the definition of “the consultation bodies”, in sub-paragraph (d), for “the Countryside Council for Wales and the Environment Agency” substitute “ the Natural Resources Body for Wales ”.

#### **Marginal Citations**

**M53** [S.I. 2000/1928](#) as amended by [S.I. 2007/1992](#), [S.I. 2011/1043](#), [S.I. 2011/2453](#).

### **Burry Port Harbour Revision Order 2000**

**132.** The Burry Port Harbour Revision Order 2000<sup>M54</sup> is amended as follows.

#### **Marginal Citations**

**M54** [S.I. 2000/2152](#).

**133.** In article 19(2)(g), after “the Environment Agency,” insert “ the Natural Resources Body for Wales, ”.

**134.** In the heading to article 46, for “Environment Agency” substitute “ Natural Resources Body for Wales ”.

**135.**—(1) Schedule 2 is amended as follows.

(2) For “Environment Agency”, in each place where it occurs (including in the heading to that Schedule), substitute “ Natural Resources Body for Wales ”.

(3) In paragraph 7(3)(b), for “Environment Agency's” substitute “ Body's ”.

### **Wye Navigation Order 2002**

**136.** In article 3(2)(s) of the Wye Navigation Order 2002<sup>M55</sup>, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

#### **Marginal Citations**

**M55** [S.I. 2002/1998](#) as amended by [S.I. 2003/2155](#).

### **Forest Reproductive Material (Great Britain) Regulations 2002**

**137.** The Forest Reproductive Material (Great Britain) Regulations 2002<sup>M56</sup> are amended as follows<sup>M57</sup>.

#### Marginal Citations

**M56** S.I. 2002/3026 as amended by S.I. 2006/2530, S.I. 2011/1043.

**M57** Schedule 7 contains transitional provisions relating to these Regulations.

**138.**—(1) Regulation 2 is amended as follows.

(2) In paragraph (2)—

(a) in the appropriate place insert—

““the appropriate authority”—

(a) in regulations 7 to 9, 20(b) and Schedules 2 to 5, has the meaning given in regulation 7(11);

(b) in regulations 11, 13 and 14, has the meaning given in regulation 11(4);

(c) in regulations 16, 18 and 22, has the meaning given in regulation 16(1B);

(d) in regulation 25, has the meaning given in regulation 25(4);”;

(b) for the definition of “authorised officer” substitute—

““authorised officer” means—

(a) a person authorised by the Commissioners to exercise their powers and execute their functions under these Regulations; and

(b) a person authorised by the Welsh Ministers to exercise their powers and execute their functions under these Regulations;”;

(c) in the definition of “Master Certificate”, for “Great Britain” substitute “ a relevant territory ”;

(d) in the definitions of “official certificate” and “region of provenance”, after “the Commissioners” insert “ or the Welsh Ministers ”;

(e) in the appropriate place insert—

““relevant territory” means—

(a) England and Scotland; and

(b) Wales;”.

(3) In paragraph (6)—

(a) omit “Commissioners”;

(b) after “payable to the Commissioners” insert “ or the Welsh Ministers ”.

**139.**—(1) Regulation 5 is amended as follows.

(2) In paragraph (1)—

(a) after “provenance” insert “ in England and Scotland ”;

(b) for “Great Britain” substitute “ England and Scotland ”.

(3) After paragraph (1) insert—

“(1A) The Welsh Ministers shall demarcate regions of provenance in Wales in respect of each of the species listed in Schedule 1 which exist in Wales and shall allocate to each region of provenance an identity code.

(1B) The Commissioners and the Welsh Ministers may together exercise their functions under paragraph (1) and (1A) so as to designate a region of provenance of which part is in Wales.”

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(4) In paragraph (2), for “shall draw up maps showing the demarcated regions of provenance referred to in paragraph (1)” substitute “ and the Welsh Ministers shall draw up maps showing the regions of provenance which they have demarcated pursuant to this regulation ”.

**140.**—(1) Regulation 6 is amended as follows.

(2) In paragraph (1), for “The Commissioners shall establish and maintain” substitute “ There is to be ”.

(3) After paragraph (1) insert—

“(1A) The Welsh Ministers shall maintain that part of the National Register recording basic material approved by them under regulation 7.

(1B) The Commissioners shall maintain that part of the National Register recording basic material approved by them under regulation 7.”

(4) In paragraph (2), for “The Commissioners shall make the National Register” substitute “ The Commissioners and the Welsh Ministers shall each make that part of the National Register which they maintain ”.

**141.**—(1) Regulation 7 is amended as follows.

(2) For “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

(3) After paragraph (10) insert—

“(11) In this regulation, regulations 8, 9 and 20(b), and in Schedules 2 to 5, “the appropriate authority” means—

(a) the Welsh Ministers, in relation to basic material located in Wales;

(b) the Commissioners, in any other case.”

**142.** In regulation 8(2), in each place where it occurs, for “the Commissioners” substitute “ the appropriate authority ”.

**143.** In regulation 9, in each place where it occurs, for “the Commissioners” substitute “ the appropriate authority ”.

**144.**—(1) Regulation 11 is amended as follows.

(2) For “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

(3) In paragraph (1), for “Commissioners” substitute “ the appropriate authority's ”.

(4) In paragraph (1)(c), for “register” substitute “ National Register ”.

(5) After paragraph (3) insert—

“(4) In this regulation and regulations 13 and 14, “the appropriate authority” means—

(a) the Welsh Ministers, in relation to the collection, production or marketing of forest reproductive material in Wales;

(b) the Commissioners, in any other case.”

**145.** In Regulation 13, for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

**146.** In regulation 14(3), for “the Commissioners” substitute “ the appropriate authority ”.

**147.**—(1) Regulation 16 is amended as follows.

(2) After paragraph (1) insert—



- “(1A) The Register of Suppliers shall be maintained in two parts, namely—
- (a) a part maintained by the Welsh Ministers which shall record suppliers whose principal place of business or trade is in Wales;
  - (b) a part maintained by the Commissioners which shall record suppliers whose principal place of business or trade is in England or Scotland.
- (1B) In this regulation and regulations 18 and 22, “the appropriate authority” means—
- (a) the Welsh Ministers, in relation to a supplier whose principal place of business or trade is in Wales;
  - (b) the Commissioners, in relation to a supplier whose principal place of business or trade is in England or Scotland.”

(3) In paragraph (2)—

- (a) for “the Commissioners” substitute “ the appropriate authority ”;
- (b) for “the Commissioners” substitute “ the appropriate authority's ”.

(4) In paragraphs (3) to (5), for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

(5) In paragraph (6), for “The Commissioners shall make the Register of Suppliers” substitute “ The Commissioners and the Welsh Ministers shall each make that part of the Register of Suppliers which they maintain ”.

**148.** In regulation 17(1), for “Great Britain”, in each place where it occurs, substitute “ a relevant territory ”.

**149.** In regulation 18, for “The Commissioners”, in each place where it occurs, substitute “ The appropriate authority ”.

**150.**—(1) Regulation 20(b) is amended as follows.

- (2) For “Great Britain” substitute “ a relevant territory ”.
- (3) For “the Commissioners” substitute “ the appropriate authority ”.

**151.**—(1) Regulation 21 is amended as follows.

- (2) In paragraph (1), after “material” insert “ from a relevant territory ”.
- (3) In paragraph (2)—
  - (a) after “despatch forest reproductive material” insert “ from a relevant territory ”;
  - (b) for “Great Britain” substitute “ that relevant territory ”.

**152.**—(1) Regulation 22 is amended as follows.

- (2) In paragraph (2)—
  - (a) after “despatch forest reproductive material” insert “ from a relevant territory ”;
  - (b) for “Great Britain” substitute “ that relevant territory ”.
- (3) In paragraph (3)—
  - (a) after “despatches forest reproductive material” insert “ from a relevant territory ”;
  - (b) for “the Commissioners” substitute “ the appropriate authority ”;
  - (c) for “Great Britain” substitute “ that relevant territory ”.

**153.** In regulation 23, after “forest reproductive material” insert “ in a relevant territory ”.

**154.** In regulation 24, for “Great Britain” substitute “ a relevant territory ”.

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- 155.**—(1) Regulation 25 is amended as follows.
- (2) In paragraph (1)—
- (a) for “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”;
  - (b) for “the Commissioners” substitute “ the appropriate authority ”;
  - (c) for “Great Britain”, in the second place where it occurs, substitute “ the relevant territory ”.
- (3) In paragraph (2), for “Great Britain”, in each place where it occurs, substitute “ the relevant territory ”.
- (4) In paragraph (3), for “the Commissioners” substitute “ the appropriate authority ”.
- (5) After paragraph (3) insert—
- “(4) In this regulation “the appropriate authority” means—
    - (a) the Welsh Ministers, in relation to the importation of forest reproductive material where the initial place of landing is in Wales;
    - (b) the Commissioners, in relation to the importation of forest reproductive material where the initial place of landing is in England or Scotland.”
- 156.**—(1) Regulation 26 is amended as follows.
- (2) In paragraph (2), after “the Commissioners” insert “ or the Welsh Ministers (as the case may be) ”.
- (3) In paragraph (3)(b), after “the Commissioners” insert “ or the Welsh Ministers ”.
- (4) In paragraph (5), after “the Commissioners” insert “ or (according as the requirement was made) the Welsh Ministers ”.
- 157.** In regulation 27(1), after “the Commissioners” insert “ or the Welsh Ministers (as the case may be) ”.
- 158.**—(1) Regulation 32 is amended as follows.
- (2) In paragraph (1)—
- (a) after “the Commissioners” insert “ or the Welsh Ministers ”;
  - (b) in sub-paragraph (h), after “the Commissioners” insert “ or the Welsh Ministers' ”.
- (3) In paragraph (3), after “the Commissioners” insert “ and the Welsh Ministers ”.
- 159.** In Schedule 2, for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.
- 160.**—(1) Schedule 3 is amended as follows.
- (2) For “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.
- (3) In paragraph 5, for “the Commissioners” substitute “ the appropriate authority's ”.
- 161.**—(1) Schedule 4 is amended as follows.
- (2) For “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.
- (3) In paragraph 2(c), for “the Commissioners” substitute “ the appropriate authority's ”.
- (4) In paragraph 3(b), for “the Commissioners” substitute “ the appropriate authority's ”.
- 162.** In Schedule 5, for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

## **Water Resources (Environmental Impact Assessment) (England and Wales) Regulations 2003**

**163.** The Water Resources (Environmental Impact Assessment) (England and Wales) Regulations 2003 <sup>M58</sup> are amended as follows.

### **Marginal Citations**

**M58** [S.I. 2003/164](#) as amended by [S.I. 2006/3124](#), [S.I. 2011/1043](#).

**164.**—(1) Regulation 2 is amended as follows.

(2) Omit the definition of “the Agency”.

(3) In the appropriate place insert—

““appropriate authority” means—

(a) the Environment Agency in relation to a project in England;

(b) the Natural Resources Body for Wales in relation to a project in Wales;”.

(4) In the definition of “consultation bodies”—

(a) in sub-paragraph (c), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”;

(b) in sub-paragraph (d), for “the Agency” substitute “ the appropriate authority ”.

**165.** In regulation 4, for “Agency” and “Agency's”, in each place where they occur, substitute “ appropriate authority ” and “ appropriate authority's ” respectively.

**166.**—(1) Regulation 6 is amended as follows.

(2) For “Agency”, in each place where it occurs (including in the heading), substitute “ appropriate authority ”.

(3) In paragraph (4), before “the consultation bodies” insert “ , if different, ”.

**167.** In the following provisions, for “Agency” and “Agency's”, in each place where they occur, substitute “ appropriate authority ” and “appropriate authority's” respectively—

(a) regulations 7 to 9;

(b) regulations 10 to 16 (including the headings to regulations 10 and 14).

## **Urban Waste Water Treatment (England and Wales) (Amendment) Regulations 2003**

**168.** In regulations 2 and 3 of the Urban Waste Water Treatment (England and Wales) (Amendment) Regulations 2003 <sup>M59</sup>, for “the Environment Agency” and “the Agency”, in each place where they occur, substitute “ the appropriate agency ”.

### **Marginal Citations**

**M59** [S.I. 2003/1788](#).

## **Packaging (Essential Requirements) Regulations 2003**

<sup>F1</sup>**169.** . . . . .

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#### Textual Amendments

- F1** Sch. 4 para. 169 revoked (1.10.2015) by [The Packaging \(Essential Requirements\) Regulations 2015 \(S.I. 2015/1640\)](#), reg. 1, [Sch. 6](#) (with reg. 3(5))

### Electronic Communications Code (Conditions and Restrictions) Regulations 2003

**170.** The Electronic Communications Code (Conditions and Restrictions) Regulations 2003 <sup>M60</sup> are amended as follows.

#### Marginal Citations

- M60** [S.I. 2003/2553](#) as amended by [S.I. 2009/584](#).

**171.**—(1) Regulation 2(2) is amended as follows.

(2) Omit the definition of “Countryside Council for Wales”.

(3) In the definition of “national nature reserve”, in sub-paragraph (c), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

(4) In the appropriate place insert—

““Natural Resources Body for Wales” means the Natural Resources Body for Wales as established by article 3(1) of the Natural Resources Body for Wales (Establishment) Order 2012;”.

**172.** In regulation 8(1)(b)(iii), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

### Water Environment (Water Framework Directive) (England and Wales) Regulations 2003

**173.** The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003 <sup>M61</sup> are amended as follows.

#### Marginal Citations

- M61** [S.I. 2003/3242](#) as amended by [S.I. 2005/2035](#), [S.I. 2007/3538](#), [S.I. 2008/1097](#), [S.I. 2010/630 \(C. 42\)](#), [S.I. 2011/556 \(C. 19\)](#), [S.I. 2011/1043](#).

**174.**—(1) Regulation 2 is amended as follows.

(2) In paragraph (1), in the appropriate places insert the following definitions—

““the appropriate agency” means—

(a) in relation to a river basin district that is wholly in England, the Agency;

(b) in relation to a river basin district that is wholly in Wales, the NRBW; and

(c) in relation to a river basin district that is partly in England and partly in Wales, the Agency and the NRBW acting jointly;”;

““the NRBW” means the Natural Resources Body for Wales;”.

(3) After paragraph (1) insert—

“(1A) In these regulations, where the appropriate agency is required to make copies of a statement, summary, draft plan or plan (including an approved or revised plan) accessible to the public free of charge, references to doing so through its website mean—

- (a) where the NRBW is the appropriate agency, through its website;
- (b) where the Agency is the appropriate agency, through its website;
- (c) where the Agency and the NRBW acting jointly are the appropriate agency, through their respective websites.

(1B) In these regulations, where the appropriate agency is required to make copies of a statement, summary, draft plan or plan (including an approved or revised plan) accessible to the public free of charge, references to doing so at its principal office and each of its principal regional offices mean—

- (a) where the NRBW is the appropriate agency, at its principal office and each of its principal regional offices;
- (b) where the Agency is the appropriate agency, at its principal offices and each of its principal regional offices;
- (c) where the Agency and the NRBW acting jointly are the appropriate agency, at their principal offices and each of their principal regional offices.”

**175.**—(1) Regulation 3 is amended as follows.

(2) In paragraph (1), after “the Assembly” insert “, the NRBW”.

(3) In paragraph (2), for “and the Assembly” substitute “, the Welsh Ministers, the Agency and the NRBW”.

**176.**—(1) Regulation 4 is amended as follows.

(2) In paragraph (2), after “the Assembly” insert “, the NRBW”.

(3) In paragraph (3)—

- (a) in sub-paragraph (b), omit “and”;
- (b) after sub-paragraph (b) insert—

“(ba) in the case of the NRBW, its principal office and its principal regional offices; and”.

**177.** In regulation 5(2), for “Agency” substitute “ appropriate agency”.

**178.** In regulations 7 to 9, for “Agency”, in each place where it occurs, substitute “ appropriate agency”.

**179.**—(1) Regulation 10 is amended as follows.

(2) For “Agency”, in each place where it occurs, substitute “ appropriate agency”.

(3) In paragraph (2)(b)—

- (a) for “it thinks fit” substitute “ the appropriate agency thinks fit”;
- (b) in paragraph (i), for “its proposals” substitute “ the appropriate agency's proposals”;
- (c) in paragraph (ii), for “its draft proposals” substitute “ the appropriate agency's draft proposals”.

**180.** In regulation 11(1), for “Agency” substitute “ appropriate agency”.

**181.**—(1) Regulation 12 is amended as follows.

(2) For “Agency”, in each place where it occurs, substitute “ appropriate agency”.

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- (3) In paragraph (1)—
- (a) in sub-paragraph (a)(i), for “it is to take” substitute “ the appropriate agency is to take ”;
  - (b) in sub-paragraph (b), for “which it considers” substitute “ which the appropriate agency considers ”.
- (4) In paragraph (2)(d), for “it thinks fit” substitute “ the appropriate agency thinks fit ”.
- (5) In paragraph (5)(a)—
- (a) at the end of paragraph (i) insert “ and ”;
  - (b) omit paragraph (ii);
  - (c) in paragraph (iii), for “and the Countryside Council for Wales” substitute “ in relation to the part in England ”.

**182.** In regulations 13 to 15, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**183.**—(1) Regulation 16 is amended as follows.

- (2) In paragraph (1), for “Agency” substitute “ appropriate agency ”.
- (3) In paragraph (3), for “it thinks fit” substitute “ the appropriate agency thinks fit ”.

**184.** In regulation 17, after “Agency” insert “ , the NRBW ”.

**185.**—(1) Regulation 18 is amended as follows.

- (2) For “Agency”, in each place where it occurs, substitute “ appropriate agency ”.
- (3) In paragraph (1), after “its principal office” insert “ or (as the case may be) their principal offices ”.

**186.** In regulation 19(1), for “Agency” and “Agency's”, in each place where they occur, substitute “ appropriate agency ” and “ appropriate agency's ” respectively.

**187.**—(1) Regulation 20 is amended as follows.

- (2) After paragraph (2) insert—
  - “(2A) Article 11 of the Natural Resources Body for Wales (Establishment) Order 2012 (directions to the Natural Resources Body for Wales) shall have effect as if the power in paragraph (3) to give directions included a power for the appropriate authority to give directions to any public body for the purposes of giving effect to the Directive.
  - “(2B) Article 11A of the Natural Resources Body for Wales (Establishment) Order 2012 (further provision about directions) shall apply in relation to any direction given by virtue of paragraph (2A).”

- (3) In paragraph (3), for “Agency” substitute “ appropriate agency ”.

**188.** In Part 2 of Schedule 2, after paragraph 29 insert—

“**30.** The Water Protection Zone (River Dee Catchment) (Procedural and Other Provisions) Regulations 1999.

**31.** The Natural Resources Body for Wales (Establishment) Order 2012.

**32.** The Water Resources (Environmental Impact Assessment) (England and Wales) Regulations 2003.”

## Environmental Assessment of Plans and Programmes Regulations 2004

**189.** In regulation 4(4)(b) of the Environmental Assessment of Plans and Programmes Regulations 2004 <sup>M62</sup>, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

### Marginal Citations

**M62** [S.I. 2004/1633](#) as amended by [S.I. 2011/1043](#).

## Plant Health (Export Certification) (Forestry) (Great Britain) Order 2004

**190.** The Plant Health (Export Certification) (Forestry) (Great Britain) Order 2004 <sup>M63</sup> is amended as follows.

### Marginal Citations

**M63** [S.I. 2004/1684](#).

**191.**—(1) Article 2 is amended as follows.

(2) In the appropriate place insert—

““the appropriate authority” means—

- (a) in relation to England and Scotland, the Forestry Commissioners;
- (b) in relation to Wales, the Welsh Ministers;”.

(3) For the definition of “authorised officer” substitute—

““authorised officer” means—

- (a) in relation to England and Scotland, an officer of the Forestry Commissioners or any person, whether or not an officer of the Forestry Commissioners, authorised by the Forestry Commissioners to be an inspector for the purposes of the Plant Health (Forestry) Order 2005;
- (b) in relation to Wales, an officer of the Welsh Ministers or any person, whether or not an officer of the Welsh Ministers, authorised by the Welsh Ministers to be an inspector for the purposes of the Plant Health (Forestry) Order 2005;”.

(4) In the definitions of “phytosanitary certificate” and “reforwarding phytosanitary certificate”, for “the Forestry Commissioners” substitute “ the appropriate authority ”.

**192.** In articles 3 and 4, for “the Forestry Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

## Plant Health (Forestry) (Phytophthora ramorum) (Great Britain) Order 2004

**193.** The Plant Health (Forestry) (Phytophthora ramorum) (Great Britain) Order 2004 <sup>M64</sup> is amended as follows.

### Marginal Citations

**M64** [S.I. 2004/3213](#) as amended by [S.I. 2007/3450](#).

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**194.**—(1) Article 2 is amended as follows.

(2) In the appropriate places insert the following definitions—

““the appropriate authority” means—

- (a) the Commissioners, in relation to England and Scotland;
- (b) the Welsh Ministers, in relation to Wales;”;

““Commissioners” means the Forestry Commissioners;”;

““relevant territory” means—

- (a) England and Scotland; and
- (b) Wales;”.

(3) For the definition of “inspector” substitute—

““inspector” means—

- (a) an inspector appointed by the Commissioners for the purposes of the Plant Health (Forestry) Order 2005 in relation to—
  - (i) the landing of any susceptible tree or susceptible wood in England or Scotland; and
  - (ii) any premises in England or Scotland;
- (b) an inspector appointed by the Welsh Ministers for the purposes of the Plant Health (Forestry) Order 2005 in relation to—
  - (i) the landing of any susceptible tree or susceptible wood in Wales; and
  - (ii) any premises in Wales;”.

**195.** In articles 3 and 4, for “Great Britain”, in each place where it occurs (including in the heading to article 3), substitute “ a relevant territory ”.

**196.**—(1) Article 5 is amended as follows.

(2) In paragraph (1)—

- (a) for “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”;
- (b) for “Great Britain”, in the second place where it occurs, substitute “ that relevant territory ”.

(3) In paragraph (2), for “Great Britain” substitute “ a relevant territory ”.

**197.** In article 6(2) and (3), for “Commissioners”, in each place where it occurs, substitute “ appropriate authority ”.

**198.** In article 8(2), for “another part of the United Kingdom” substitute “ a part of the United Kingdom other than a relevant territory ”.

**199.**—(1) Article 10(3) is amended as follows.

(2) For “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”.

(3) For “Great Britain”, in the second place where it occurs, substitute “ that relevant territory ”.

**200.** In article 13(1A), for “Great Britain” substitute “ a relevant territory ”.

## **End-of-Life Vehicles (Producer Responsibility) Regulations 2005**

**201.**—(1) Regulation 24(4) of the End-of-Life Vehicles (Producer Responsibility) Regulations 2005 <sup>M65</sup> is amended as follows.

(2) In sub-paragraph (a), omit “and Wales”.

(3) After sub-paragraph (a) insert—



“(aa) Wales, the Natural Resources Body for Wales;”.

**Marginal Citations**

**M65** [S.I. 2005/263](#) as amended by [S.I. 2010/1095](#), [S.I. 2011/988](#), [S.I. 2011/1043](#).

**Charities (National Trust) Order 2005**

**202.**—(1) The Appendix to the Charities (National Trust) Order 2005<sup>M66</sup> is amended as follows.

(2) In Part 3 of the Schedule—

- (a) omit “Countryside Council for Wales”;
- (b) in the appropriate place insert “ Natural Resources Body for Wales ”.

**Marginal Citations**

**M66** [S.I. 2005/712](#).

**Hazardous Waste (England and Wales) Regulations 2005**

**203.** The Hazardous Waste (England and Wales) Regulations 2005<sup>M67</sup> are amended as follows.

**Marginal Citations**

**M67** [S.I. 2005/894](#) as amended by [S.I. 2006/937](#), [S.I. 2007/3538](#), [S.I. 2010/675](#), [S.I. 2011/556](#) (C. 19), [S.I. 2011/988](#), [S.I. 2011/2043](#).

**204.** In regulation 11, after sub-paragraph (a) insert—

“(aa) the Natural Resources Body for Wales;”.

**205.**—(1) Schedule 7 is amended as follows.

(2) In paragraph 4(3)(b), after “from Northern Ireland” insert “ or the Natural Resources Body for Wales (where the waste is transported from Wales) ”.

(3) In paragraph 5—

- (a) after “or Northern Ireland” insert “ or Wales ”;
- (b) after “from Northern Ireland” insert “ or the Natural Resources Body for Wales (where the waste is transported from Wales) ”.

(4) In paragraph 6—

- (a) in sub-paragraph (1), after “or Northern Ireland” insert “ or Wales ”;
- (b) in sub-paragraph (2)(a)(i), after “in Northern Ireland” insert “ , or for the Natural Resources Body for Wales (where the waste is to be consigned to a consignee in Wales) ”.

**Drought Plan Regulations 2005**

**206.** In regulation 2(2)(i) of the Drought Plan Regulations 2005<sup>M68</sup>, omit “the Countryside Council for Wales and”.

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**Marginal Citations**

**M68** S.I. 2005/1905.

**Plant Health (Forestry) Order 2005**

**207.** The Plant Health (Forestry) Order 2005<sup>M69</sup> is amended as follows<sup>M70</sup>.

**Marginal Citations**

**M69** S.I. 2005/2517 as amended by S.I. 2006/2696, S.I. 2008/644, S.I. 2009/594, S.I. 2009/3020, S.I. 2011/1043.

**M70** Schedule 7 contains transitional provisions relating to this Order.

**208.**—(1) Article 2 is amended as follows.

(2) In the appropriate places insert the following definitions—

““the appropriate authority” means—

- (a) the Commissioners, in relation to England and Scotland;
- (b) the Welsh Ministers, in relation to Wales;”;

““relevant territory” means—

- (a) England and Scotland; and
- (b) Wales;”.

(3) In the definition of “EC transit goods”, for “Great Britain” substitute “ a relevant territory ”.

(4) For the definition of “inspector” substitute—

““inspector” means any person authorised by the Commissioners or the Welsh Ministers to be an inspector for the purposes of this Order (see article 2A for further provision about inspectors);”.

(5) In the definition of “landed”, for “Great Britain” substitute “ a relevant territory ”.

(6) For the definition of “register” substitute—

““registers” means the registers of forestry traders maintained under article 24(1) and (2);”.

(7) In the definition of “registered”, for “register” substitute “ either or both of the registers ”.

(8) In the definition of “trees intended for planting”, for “Great Britain” substitute “ a relevant territory ”.

(9) After paragraph (3) insert—

“(3A) In articles 4(1), 7(6)(b), 11(c), 12(6), 18(1), 20(3), (4), (5) and (6) and 29(4), any reference to another part of the European Union is a reference to any part of the European Union except a relevant territory.”

**209.** After article 2 insert—

**“Inspectors**

**2A.**—(1) The functions of an inspector under articles 9, 10, 12, 13, 23 and 31(1) to (3) are exercisable—

- (a) in relation to tree pests and relevant material landed in England or Scotland, by an inspector authorised by the Commissioners;

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- (b) in relation to tree pests and relevant material landed in Wales, by an inspector authorised by the Welsh Ministers.
- (2) The functions of an inspector under article 30 are exercisable—
  - (a) in relation to compliance with the provisions of this Order in England or Scotland, by an inspector authorised by the Commissioners;
  - (b) in relation to compliance with the provisions of this Order in Wales, by an inspector authorised by the Welsh Ministers.
- (3) The functions of an inspector under articles 31(4) to (7), 32, 40, and 41 are exercisable—
  - (a) in relation to premises or a free zone in England or Scotland, by an inspector authorised by the Commissioners;
  - (b) in relation to premises or a free zone in Wales, by an inspector authorised by the Welsh Ministers.
- (4) In paragraph (5)—
  - (a) “supplementary function” means a function of an inspector under articles 33, 35, 36 and 37;
  - (b) “related function” means the function of an inspector under this Order in relation to which a supplementary function is exercised.
- (5) A supplementary function is exercisable either by an inspector authorised by the Commissioners or by an inspector authorised by the Welsh Ministers according as the related function is exercisable under this article.
- (6) The functions of an inspector under article 42 are exercisable—
  - (a) by an inspector authorised by the Commissioners in relation to—
    - (i) premises in England or Scotland in respect of which a notice has been served under this Order;
    - (ii) possession or control of tree pests or relevant material in England or Scotland; and
    - (iii) sale or other disposal of tree pests or relevant material in England or Scotland;
  - (b) by an inspector authorised by the Welsh Ministers in relation to—
    - (i) premises in Wales in respect of which a notice has been served under this Order;
    - (ii) possession or control of tree pests or relevant material in Wales; and
    - (iii) sale or other disposal of tree pests or relevant material in Wales.”

**210.** In article 3, in the definition of “approved place of inspection”, for “the Commissioners” substitute “ the appropriate authority ”.

**211.**—(1) Article 4 is amended as follows.

(2) In paragraph (1), for “Great Britain” substitute “ a relevant territory ”.

(3) In paragraph (2), for “the Commissioners” substitute “ the appropriate authority ”.

**212.**—(1) Article 6 is amended as follows.

(2) In paragraph (1)—

(a) for “Great Britain” substitute “ a relevant territory ”;

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- (b) after “notice” insert “ to the appropriate authority ”.
- (3) In paragraph (2)—
  - (a) for “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”;
  - (b) for “Great Britain”, in the second place where it occurs, substitute “ that relevant territory ”.
- (4) In paragraphs (3) and (4), for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

**213.**—(1) Article 7 is amended as follows.

- (2) In paragraphs (1), (2) and (3), for “Great Britain”, in each place where it occurs, substitute “ a relevant territory ”.
- (3) In paragraph (6)—
  - (a) in sub-paragraph (a), for “Great Britain” substitute “ a relevant territory ”;
  - (b) in sub-paragraph (b)—
    - (i) for “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”;
    - (ii) for “Great Britain”, in the second place where it occurs, substitute “ that relevant territory ”.

**214.**—(1) Article 8(1) is amended as follows.

- (2) For “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”.
- (3) For “Great Britain”, in the second place where it occurs, substitute “ the relevant territory ”.

**215.** In article 9(3), for “Great Britain” substitute “ a relevant territory ”.

**216.**—(1) Article 10(2) is amended as follows.

- (2) In sub-paragraph (a), for “Great Britain” substitute “ a relevant territory ”.
- (3) In sub-paragraph (b), for “control by the Commissioners” substitute “ control by the appropriate authority ”.

**217.** In article 11(c), for “Great Britain” substitute “ a relevant territory ”.

**218.**—(1) Article 12 is amended as follows.

- (2) In paragraph (5)—
  - (a) for “Great Britain” substitute “ a relevant territory ”;
  - (b) for “the Commissioners” substitute “ the appropriate authority ”.
- (3) In paragraph (6)—
  - (a) for “Great Britain” substitute “ a relevant territory ”;
  - (b) for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.
- (4) In paragraph (7), for “the Commissioners” substitute “ the appropriate authority ”.

**219.**—(1) Article 16 is amended as follows.

- (2) In paragraph (2)—
  - (a) for “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”;
  - (b) for “Great Britain”, in the second place where it occurs, substitute “ that relevant territory ”;

(c) for “the Commissioners” substitute “ the appropriate authority ”.

(3) In paragraphs (3) and (4), for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

**220.**—(1) Article 17 is amended as follows.

(2) In paragraph (1)—

(a) for “the Commissioners” substitute “ the appropriate authority ”;

(b) after “destination” insert “ , within the relevant territory, ”.

(3) In paragraphs (2) to (4), for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

(4) In paragraph (5), for “the Commissioners may” substitute “ the appropriate authority may ”.

**221.**—(1) Article 18 is amended as follows.

(2) In paragraph (1)—

(a) for “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”;

(b) for “Great Britain”, in the second place where it occurs, substitute “ that relevant territory ”.

(3) In paragraph (2), for “Great Britain” substitute “ a relevant territory ”.

**222.** In article 19(1), after “shall” insert “ , in a relevant territory, ”

**223.**—(1) Article 20 is amended as follows.

(2) In paragraph (1)—

(a) for “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”;

(b) for “consigned to Great Britain from” substitute “ originating in that relevant territory or ”.

(3) In paragraph (2)—

(a) for “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”;

(b) for “consigned to Great Britain from” substitute “ originating in that relevant territory or ”;

(c) for “Great Britain”, in the last place where it occurs, substitute “ that relevant territory ”.

(4) In paragraph (3)—

(a) for “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”;

(b) for “Great Britain”, in the second place where it occurs, substitute “ either relevant territory ”.

(5) In paragraph (4)—

(a) for “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”;

(b) for “Great Britain”, in the second place where it occurs, substitute “ either relevant territory ”;

(c) for “Great Britain”, in the last place where it occurs, substitute “ the relevant territory in which the movement takes place ”.

(6) In paragraphs (5) and (6), for “Great Britain”, in each place where it occurs, substitute “ a relevant territory ”.

(7) In paragraph (7), for “the Commissioners” substitute “ the appropriate authority ”.

**224.**—(1) Article 22 is amended as follows.

(2) In paragraph (1)—

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- (a) for “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”;
  - (b) for “Great Britain”, in the last place where it occurs, substitute “ that relevant territory ”.
- (3) In paragraph (3)—
- (a) in sub-paragraph (a), for “Great Britain”, in the first place where it occurs, substitute “ the relevant territory ”;
  - (b) in sub-paragraph (b), for “Great Britain”, in each place where it occurs, substitute “ the relevant territory ”.
- 225.** For article 24 substitute—

**“Registers of forestry traders**

**24.—**(1) The Commissioners shall maintain a register listing the particulars set out in paragraph (3) with respect to each forestry trader who—

- (a) engages in any activity to which this Order applies at any premises in England or Scotland; and
- (b) meets the requirements of this Part.

(2) The Welsh Ministers shall maintain a register listing the particulars set out in paragraph (3) with respect to each forestry trader who—

- (a) engages in any activity to which this Order applies at any premises in Wales; and
- (b) meets the requirements of this Part.

(3) The particulars are—

- (a) the name of the forestry trader;
- (b) the name of the person responsible for making the application where that person is not the forestry trader;
- (c) the trading name of the forestry trader where that name is different from that of the forestry trader;
- (d) details of those activities to which this Order applies which the forestry trader undertakes or intends to undertake;
- (e) the address of the premises at which the forestry trader undertakes or intends to undertake the activities referred to in sub-paragraph (d); and
- (f) a registration number unique to the forestry trader.

(4) The registers shall be open to inspection by the European Commission.”

**226.** In article 25(3), for “register maintained under article 24(1)” substitute “ registers ”.

**227.—**(1) Article 26 is amended as follows.

(2) In paragraph (1)—

- (a) for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”;
- (b) for “plant” substitute “ forestry ”.

(3) In paragraph (2), for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

(4) In paragraph (3)—

- (a) for “the Commissioners” substitute “ the appropriate authority ”;
- (b) for “register” substitute “ registers ”.

(5) In paragraph (4)—

(a) for “the Commissioners” substitute “ the appropriate authority ”;

(b) for “plant” substitute “ forestry ”.

(6) In paragraph (5), for “the Commissioners” substitute “ the appropriate authority ”.

**228.** In article 27, for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

**229.**—(1) Article 28 is amended as follows.

(2) In paragraphs (1) to (3), for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

(3) In paragraph (4), for “The Commissioners” substitute “ The appropriate authority's ”.

(4) In paragraph (5), for “the Commissioners” substitute “ the appropriate authority ”.

(5) In paragraph (6)—

(a) for “the Commissioners” substitute “ the appropriate authority ”;

(b) for “register” substitute “ registers ”.

**230.**—(1) Article 29 is amended as follows.

(2) In paragraph (1), for “Great Britain” substitute “ a relevant territory ”.

(3) In paragraph (2)—

(a) for “Great Britain”, in the first place where it occurs, substitute “ a relevant territory ”;

(b) omit “to Great Britain”.

(4) In paragraph (4), for “Great Britain” substitute “ a relevant territory ”.

**231.** In article 30(7), after “the Commissioners” insert “ or, as the case may be, the Welsh Ministers ”.

**232.**—(1) Article 31 is amended as follows.

(2) In paragraph (1), for “Great Britain” substitute “ a relevant territory ”.

(3) In paragraph (6)(b), for “Great Britain”, in each place where it occurs, substitute “ the relevant territory ”.

**233.** In article 32(5), after “the Commissioners” insert “ or, as the case may be, the Welsh Ministers ”.

**234.** In article 33(6)(a), for “the Commissioners” substitute “ the appropriate authority ”.

**235.** In article 34(4), for “register” substitute “ registers ”.

**236.**—(1) Article 36 is amended as follows.

(2) In paragraph (2), after “the Commissioners” insert “ or, as the case may be, the Welsh Ministers ”.

(3) In paragraph (3), for “the Commissioners” substitute “ the appropriate authority ”.

**237.**—(1) Article 38(1) is amended as follows.

(2) For “Great Britain” substitute “ a relevant territory ”.

(3) For “the Commissioners” substitute “ the appropriate authority ”.

**Status:** Point in time view as at 01/10/2015.

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**238.** In article 39, for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

**239.** In article 40(1), for “the Commissioners” substitute “ the appropriate authority ”.

**240.—**(1) Article 41 is amended as follows.

(2) In paragraph (1), for “the Commissioners” substitute “ the appropriate authority ”.

(3) In paragraph (2), for “Great Britain”, in the last place where it occurs, substitute “ a relevant territory ”.

**241.—**(1) Article 42 is amended as follows.

(2) For “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

(3) In paragraph (2)(b)(iv), for “Great Britain” substitute “ a relevant territory ”.

**242.** In article 43(2), for “Great Britain” substitute “ a relevant territory ”.

**243.** In Schedule 7, in paragraph 2 of Part A, for “the Forestry Commission” substitute “ the appropriate authority ”.

**244.—**(1) Schedule 9 is amended as follows.

(2) In paragraph 3(b)—

(a) for “the Commissioners” substitute “ the appropriate authority ”;

(b) for “Great Britain” substitute “ a relevant territory ”.

(3) In paragraph 7(j), for “Great Britain” substitute “ the relevant territory ”.

**245.** In Schedule 13, in paragraph 2(b), for “the Commissioners” substitute “ the appropriate authority ”.

### **Water Resources (Abstraction and Impounding) Regulations 2006**

**246.** The Water Resources (Abstraction and Impounding) Regulations 2006<sup>M71</sup> are amended as follows.

#### **Marginal Citations**

**M71** [S.I. 2006/641](#) as amended by [S.I. 2008/165](#).

**247.** In the following provisions, for “Agency” and “Agency's”, in each place where they occur, substitute “ appropriate agency ” and “appropriate agency's” respectively—

(a) regulations 2 to 27 (including the headings to regulations 10, 15 to 24 and 26 and the cross-heading before regulation 14);

(b) regulations 29 to 32 (including the heading to regulation 31);

(c) regulation 34;

(d) Schedule 2 (including the heading to that Schedule and the headings to paragraphs 1, 2, 4, 6 and 8).



## **Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006**

**248.** The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006<sup>M72</sup> are amended as follows.

### **Marginal Citations**

**M72** [S.I. 2006/1466](#) as amended by [S.I. 2010/439](#), [S.I. 2010/1551](#), [S.I. 2011/556](#) (C. 19), [S.I. 2011/2085](#), [S.I. 2012/147](#), [S.I. 2012/1658](#).

**249.** In rule 4(1), in the appropriate place insert—

““the appropriate agency” means—

- (a) the Environment Agency for works in or adjacent to England;
- (b) the Natural Resources Body for Wales for works in or adjacent to Wales;”.

**250.**—(1) Rule 7(8) is amended as follows.

(2) In sub-paragraph (c), after “Environment Agency” insert “ for a proposal affecting land in or adjacent to, or tidal waters in or adjacent to, England ”.

(3) In sub-paragraph (e), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**251.**—(1) Rule 8(4) is amended as follows.

(2) In sub-paragraph (c), after “Environment Agency” insert “ for a proposal affecting land in or adjacent to, or tidal waters in or adjacent to, England ”.

(3) In sub-paragraph (e), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**252.** In rule 12(8)(e)(vi), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**253.**—(1) In Schedule 5, the table is amended as follows.

(2) In rows 1 to 6 and 20, in column (2), for “Environment Agency” substitute “ appropriate agency ”.

(3) In rows 17 and 18, in column (2), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**254.**—(1) In Schedule 6, the table is amended as follows.

(2) In rows 1 to 3, in column (2), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

(3) In row 5, in column (2), for “Environment Agency” substitute “ appropriate agency ”.

## **Plant Health (Wood Packaging Material Marking) (Forestry) Order 2006**

**255.** The Plant Health (Wood Packaging Material Marking) (Forestry) Order 2006<sup>M73</sup> is amended as follows.

**Status:** Point in time view as at 01/10/2015.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, SCHEDULE 4. (See end of Document for details)

**Marginal Citations**

**M73** [S.I. 2006/2695](#).

**256.**—(1) Article 2 is amended as follows.

(2) In the definition of “approved measure”, for “the Commissioners” substitute “ the appropriate authority ”.

(3) In the definition of “inspector”, after “the Commissioners” insert “ or the Welsh Ministers ”.

(4) After the definition of “repair” insert—

““the appropriate authority” means—

(a) the Commissioners, in relation to England and Scotland;

(b) the Welsh Ministers, in relation to Wales;”.

**257.** In articles 3 to 11, for “the Commissioners”, in each place where it occurs, substitute “ the appropriate authority ”.

**258.** In Schedule 2, in the form of certificate, before the Appendix insert—

“[or, as appropriate]

Signed on behalf of the Welsh Ministers”

**Plant Health (Fees) (Forestry) Regulations 2006**

**259.** The Plant Health (Fees) (Forestry) Regulations 2006 <sup>M74</sup> are amended as follows.

**Marginal Citations**

**M74** [S.I. 2006/2697](#) as amended by [S.I. 2008/702](#), [S.I. 2009/2956](#), [S.I. 2010/2001](#).

**260.** In regulation 2(1), in the appropriate place insert—

““action” means any action for which a fee is payable pursuant to paragraphs (2) to (6) of regulation 3;”.

**261.** For regulation 3(1) substitute—

“(1) Fees are payable—

(a) to the Forestry Commissioners, where an action is carried out by—

(i) the Forestry Commissioners; or

(ii) an inspector in circumstances where the relevant function of the inspector is exercisable by an inspector authorised by the Forestry Commissioners;

(b) to the Welsh Ministers, where an action is carried out by—

(i) the Welsh Ministers; or

(ii) an inspector in circumstances where the relevant function of the inspector is exercisable by an inspector authorised by the Welsh Ministers.”

**Waste Electrical and Electronic Equipment Regulations 2006**

**262.** The Waste Electrical and Electronic Equipment Regulations 2006 <sup>M75</sup> are amended as follows.

### Marginal Citations

**M75** S.I. 2006/3289 as amended by S.I. 2007/3454, S.I. 2007/3538, S.I. 2009/2957, S.I. 2010/675, S.I. 2010/1155, S.I. 2011/988, S.I. 2011/1043.

**263.**—(1) Regulation 2(1) is amended as follows.

(2) In the definition of “appropriate authority”—

(a) in sub-paragraph (a), omit “or Wales”;

(b) after sub-paragraph (a) insert—

“(aa) for the purposes of any provision of these Regulations relating to the exercise of the functions of the appropriate authority in Wales, the Natural Resources Body for Wales;”;

(c) in sub-paragraph (e)—

(i) in paragraph (i), omit “or Wales”;

(ii) after paragraph (i) insert—

“(ia) where the producer's registered office or principal place of business is in Wales, the Natural Resources Body for Wales;”;

(d) in sub-paragraph (g)—

(i) in paragraph (i), omit “or Wales”;

(ii) after paragraph (i) insert—

“(ia) where the operator of the scheme's registered office or principal place of business is in Wales, the Natural Resources Body for Wales;”;

(e) in sub-paragraph (h)—

(i) in paragraph (i), omit “or Wales”;

(ii) after paragraph (i) insert—

“(ia) where the operator of the ATF's or the exporter's registered office or principal place of business is in Wales, the Natural Resources Body for Wales;”;

(f) in sub-paragraph (i)—

(i) in paragraph (i), omit “or Wales”;

(ii) after paragraph (i) insert—

“(ia) where the operator of the collection facility's registered office or principal place of business is in Wales, the Natural Resources Body for Wales;”.

(3) After the definition of “member State” insert—

““Natural Resources Body for Wales” means the body established by article 3 of the Natural Resources Body for Wales (Establishment) Order 2012;”.

**264.** In regulation 41(4)(c)(i), after “Environment Agency” insert “, the Natural Resources Body for Wales”.

**265.** In regulation 43(e)(i), after “Environment Agency” insert “, the Natural Resources Body for Wales”.

**266.**—(1) Regulation 45(5) is amended as follows.

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(2) At the end of sub-paragraph (a), omit “or”.

(3) After sub-paragraph (a) insert—

“(aa) by the Natural Resources Body for Wales in respect of applications for approval made under regulation 41 to that appropriate authority; or”.

**267.** In regulation 47(1)(c)(i), after “Environment Agency” insert “, the Natural Resources Body for Wales”.

**268.** In regulation 48(1)(c)(i), after “Environment Agency” insert “, the Natural Resources Body for Wales”.

**269.**—(1) Regulation 51(4) is amended as follows.

(2) At the end of sub-paragraph (a), omit “or”.

(3) After sub-paragraph (a) insert—

“(aa) by the Natural Resources Body for Wales in respect of applications for approval made under regulation 47 or 48 to that appropriate authority; or”.

**270.** In regulation 66(1)(a) and (3)(a), after “Environment Agency” insert “ or of the Natural Resources Body for Wales”.

**271.**—(1) Regulation 70(2) is amended as follows.

(2) In sub-paragraph (a), omit “and Wales”.

(3) After sub-paragraph (a) insert—

“(aa) in Wales, the Natural Resources Body for Wales;”.

### **Water Resources Management Plan Regulations 2007**

**272.** In regulation 2(2)(i) of the Water Resources Management Plan Regulations 2007 <sup>M76</sup>, omit “the Countryside Council for Wales and”.

#### **Marginal Citations**

**M76** [S.I. 2007/727](#).

### **Producer Responsibility Obligations (Packaging Waste) Regulations 2007**

**273.** The Producer Responsibility Obligations (Packaging Waste) Regulations 2007 <sup>M77</sup> are amended as follows.

#### **Marginal Citations**

**M77** [S.I. 2007/871](#) as amended by [S.I. 2007/3538](#), [S.I. 2008/1941](#), [S.I. 2010/675](#), [S.I. 2010/1820](#) (W. 177), [S.I. 2010/2849](#), [S.I. 2011/988](#), [S.I. 2011/1043](#).

**274.**—(1) Regulation 2 is amended as follows.

(2) For the definition of “appropriate agency” substitute—

““appropriate agency” means—

(a) for the purposes of any provision of these Regulations relating to the exercise of the functions of the appropriate agency in England, the Environment Agency;

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- (b) for the purposes of any provision of these Regulations relating to the exercise of the functions of the appropriate agency in Scotland, SEPA;
  - (c) for the purposes of any provision of these Regulations relating to the exercise of the functions of the appropriate agency in Wales, the Natural Resources Body for Wales;
  - (d) for the purposes of any provision of these Regulations relating to the obligations of any other person—
    - (i) the Environment Agency, where at the beginning of the relevant year the person's registered office or principal place of business is in England;
    - (ii) SEPA, where at the beginning of the relevant year the person's registered office or principal place of business is in Scotland;
    - (iii) the Natural Resources Body for Wales, where at the beginning of the relevant year the person's registered office or principal place of business is in Wales;
    - (iv) at the election of the person, the Environment Agency, SEPA or the Natural Resources Body for Wales, where at the beginning of the relevant year the person does not have a registered office or principal place of business in Great Britain;
    - (v) in relation to schemes, where there is more than one operator of a scheme and such operators have registered offices or principal places of business in England and in Scotland (but not in Wales)—
      - (aa) the Environment Agency where the operators have elected to apply for approval of the scheme from the Secretary of State; or
      - (bb) SEPA where the operators have elected to apply for approval of the scheme from the Scottish Ministers;
    - (vi) in relation to schemes, where there is more than one operator of a scheme and such operators have registered offices or principal places of business in Wales and in Scotland (but not in England)—
      - (aa) the Natural Resources Body for Wales where the operators have elected to apply for approval of the scheme from the Secretary of State; or
      - (bb) SEPA where the operators have elected to apply for approval of the scheme from the Scottish Ministers;
    - (vii) in relation to schemes where there is more than one operator of a scheme and such operators have registered offices or principal places of business in England and in Wales (but not in Scotland), at the election of the operators, the Environment Agency or the Natural Resources Body for Wales; or
    - (viii) in relation to schemes, where there is more than one operator of a scheme and such operators have registered offices or principal places of business in England, in Scotland and in Wales—
      - (aa) SEPA, where the operator has elected to apply for approval of the scheme from the Scottish Ministers;
      - (bb) at the election of the operator, the Environment Agency or the Natural Resources Body for Wales, where the operator has elected to apply for approval from the Secretary of State.”
- (3) In the definition of “appropriate authority”, in sub-paragraphs (b)(i) and (d), after “the Environment Agency” insert “ or the Natural Resources Body for Wales ”.

**275.** In regulation 40B, for “the Environment Agency” substitute “ the Natural Resources Body for Wales ”.

**Status:** Point in time view as at 01/10/2015.

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### Marine Works (Environmental Impact Assessment) Regulations 2007

276. In regulation 2(1) of the Marine Works (Environmental Impact Assessment) Regulations 2007<sup>M78</sup>, in the definition of “the nature conservation bodies”, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

#### Marginal Citations

**M78** [S.I. 2007/1518](#) as amended by [S.I. 2011/735](#), [S.I. 2011/1043](#).

### Offshore Marine Conservation (Natural Habitats, &c) Regulations 2007

277. The Offshore Marine Conservation (Natural Habitats, &c) Regulations 2007<sup>M79</sup> are amended as follows.

#### Marginal Citations

**M79** [S.I. 2007/1842](#) as amended by [S.I. 2009/7](#), [S.I. 2010/490](#), [S.I. 2010/491](#), [S.I. 2010/1513](#), [S.I. 2011/1043](#), [S.I. 2011/2043](#), [S.I. 2012/1809](#), [S.I. 2012/1928](#).

278. In regulation 25(3)(c), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

279. In regulation 71, for “the Countryside Council for Wales”, in each place where it occurs, substitute “ the Natural Resources Body for Wales ”.

### Large Combustion Plants (National Emission Reduction Plan) Regulations 2007

280. The Large Combustion Plants (National Emission Reduction Plan) Regulations 2007<sup>M80</sup> are amended as follows.

#### Marginal Citations

**M80** [S.I. 2007/2325](#) as amended by [S.I. 2007/3476](#), [S.I. 2007/3538](#), [S.I. 2010/675](#).

281. In regulation 2(1), in the appropriate place insert—  
““the NRBW” means the Natural Resources Body for Wales;”.

282. In regulation 6(5), at the beginning insert “ The NRBW, ”.

283.—(1) Regulation 7 is amended as follows.

(2) In paragraph (1), omit “and Wales”.

(3) After paragraph (1) insert—

“(1A) The NRBW must verify the annual report of each operator of a participating plant in Wales relating to the actual annual mass emission of each of the LCPD pollutants from the participating plant.”

(4) In paragraph (4), at the beginning insert “ The NRBW, ”.

284.—(1) Regulation 9 is amended as follows.

(2) In paragraph (2), before “SEPA”, in each place where it occurs, insert “ the NBRW, ”.

**Status:** Point in time view as at 01/10/2015.

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(3) In paragraph (4)(b)—

(a) in paragraph (i), omit “or Wales”;

(b) after paragraph (i) insert—

“(ia) the NRBW, if the participating plant in question is in Wales.”.

**285.** In regulation 12, after sub-paragraph (a) omit “and” and insert—

“(aa) the NRBW;”.

**286.**—(1) In Schedule 1, paragraph 1 is amended as follows.

(2) In sub-paragraph (a), omit “or Wales”.

(3) After sub-paragraph (a) insert—

“(aa) of a participating plant in Wales, to the NRBW in accordance with the conditions of the environmental permit under the Environmental Permitting (England and Wales) Regulations 2010;”.

### **Persistent Organic Pollutants Regulations 2007**

**287.**—(1) Regulation 3(1) of the Persistent Organic Pollutants Regulations 2007<sup>M81</sup> is amended as follows.

(2) In sub-paragraph (a), omit “and Wales”.

(3) After sub-paragraph (a) insert—

“(aa) in Wales, the Natural Resources Body for Wales;”.

#### **Marginal Citations**

**M81** [S.I. 2007/3106](#) as amended by [S.I. 2010/675](#).

### **Legislative and Regulatory Reform (Regulatory Functions) Order 2007**

**288.**—(1) The Schedule to the Legislative and Regulatory Reform (Regulatory Functions) Order 2007<sup>M82</sup> is amended as follows.

(2) In Part 1, in the list of bodies, in the appropriate place insert— “ Natural Resources Body for Wales ”.

#### **Marginal Citations**

**M82** [S.I. 2007/3544](#) as amended by [S.I. 2008/574](#), [S.I. 2008/960](#), [S.I. 2008/1277](#), [S.I. 2008/1284](#), [S.I. 2008/1597](#), [S.I. 2008/1816](#), [S.I. 2009/2824](#), [S.I. 2009/2981](#), [S.I. 2010/630](#) (C. 42), [S.I. 2010/671](#), [S.I. 2010/2960](#), [S.I. 2010/3028](#), [S.I. 2011/881](#), [S.I. 2011/1043](#), [S.I. 2011/2377](#) (W. 250), [S.I. 2011/2937](#), [S.I. 2012/641](#), [S.I. 2012/1479](#).

### **Local Government Pension Scheme (Transitional Provisions) Regulations 2008**

**289.**—(1) Regulation 15 of the Local Government Pension Scheme (Transitional Provisions) Regulations 2008<sup>M83</sup> is amended as follows.

(2) After paragraph (2) insert—

*Status: Point in time view as at 01/10/2015.*

*Changes to legislation: There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, SCHEDULE 4. (See end of Document for details)*

“(2A) Subject to paragraphs (3) and (7), these Regulations, the Benefits Regulations and the Administration Regulations also apply to a person to whom this regulation applies and who—

- (a) was an active member before 1 April 2008;
- (b) was in the continuous employment of the Environment Agency from 1 April 2008 to 31 March 2013; and
- (c) has been since then in the continuous employment of the Natural Resources Body for Wales.”

(3) After paragraph (7) insert—

“(8) Paragraph (9) applies to a person—

- (a) to whom regulation 22 of the Local Government Pension Scheme (Transitional Provisions) Regulations 1997 applies for any purpose immediately before 1 April 2013 by virtue of any provision of these Regulations, and
- (b) whose employment is transferred from the Environment Agency to the Natural Resources Body for Wales in connection with or as a consequence of the transfer of any functions from the Agency to the Body on 1 April 2013.

(9) The transfer of the person's employment does not affect the continuing application to the person of regulation 22 of the Local Government Pension Scheme (Transitional Provisions) Regulations 1997 or of any provision of the 1997 Regulations that applies to the person by virtue of that regulation.”

#### **Marginal Citations**

**M83** [S.I. 2008/238](#) as amended by [S.I. 2008/1083](#), [S.I. 2008/2425](#), [S.I. 2010/2090](#), [S.I. 2012/961](#), [S.I. 2012/1989](#). Regulation 15 was inserted by [S.I. 2010/2090](#), [regulation 36](#).

### **Local Government Pension Scheme (Administration) Regulations 2008**

**290.** After regulation 8B of the Local Government Pension Scheme (Administration) Regulations 2008 <sup>M84</sup> insert—

#### **“Natural Resources Body for Wales: responsibility for deferred and pensioner members previously employed by the Environment Agency**

**8C.—**(1) Any provision of these Regulations, the Benefits Regulations or the Transitional Regulations which confers a function on a body by virtue of having been a member's employer shall have effect as if the Natural Resources Body for Wales was the employer of a person to whom paragraph (2) applies at all times when that person was an active member.

(2) This paragraph applies to any deferred or pensioner member—

- (a) who is a member by virtue of—
  - (i) employment with the Environment Agency (including any employment transferred to that Agency) which ended before 1 April 2013; or
  - (ii) employment with the National Rivers Authority which ended before 1 April 1996; and
- (b) in respect of whom the pension liabilities of the Environment Agency were transferred to the Natural Resources Body for Wales on 1 April 2013 by a transfer



scheme made by the Welsh Ministers under section 23 of the Public Bodies Act 2011.”

**Marginal Citations**

**M84** [S.I. 2008/239](#) as amended by [S.I. 2008/1083](#), [S.I. 2008/2425](#), [S.I. 2008/2989](#), [S.I. 2008/3245](#), [S.I. 2009/447](#), [S.I. 2009/1025](#), [S.I. 2009/3150](#), [S.I. 2010/528](#), [S.I. 2010/713](#) (W. 69), [S.I. 2010/1172](#), [S.I. 2010/2090](#), [S.I. 2012/961](#), [S.I. 2012/1989](#).

**Bathing Water Regulations 2008**

**291.** The Bathing Water Regulations 2008 <sup>M85</sup> are amended as follows.

**Marginal Citations**

**M85** [S.I. 2008/1097](#).

**292.**—(1) Regulation 2(1) is amended as follows.

(2) In the definition of “abnormal situation”, for “Agency” substitute “ appropriate agency ”.

(3) Omit the definitions of “the Agency” and “Agency management measures”.

(4) In the appropriate place insert—

““the appropriate agency” means—

(a) in relation to a bathing water in England, the Environment Agency;

(b) in relation to a bathing water in Wales, the Natural Resources Body for Wales;

“appropriate agency management measures” means measures in relation to a bathing water taken by the appropriate agency—

(a) to reduce the risk of pollution (being measures within the appropriate agency's responsibilities referred to in regulation 5); or

(b) under regulations 7 to 11;”.

(5) In the definitions of “management measures”, “relevant measures for short-term pollution” and “short-term pollution”, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**293.**—(1) Regulation 3 is amended as follows.

(2) In paragraph (2), for “Agency” substitute “ Environment Agency ”.

(3) In paragraph (3), for “Agency” substitute “ Natural Resources Body for Wales ”.

**294.**—(1) Regulation 5 is amended as follows.

(2) In paragraph (1), for “and the Agency” substitute “ , the Environment Agency and the Natural Resources Body for Wales ”.

(3) In paragraph (5), for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**295.** In regulations 6 to 15, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**296.**—(1) Regulation 16 is amended as follows.

**Status:** Point in time view as at 01/10/2015.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, SCHEDULE 4. (See end of Document for details)

(21) In paragraph (4)(a), for “the Agency and the Welsh Ministers” substitute “ the Welsh Ministers, the Environment Agency and the Natural Resources Body for Wales ”.

(3) In paragraph (5), for “and the Agency” substitute “ , the Environment Agency and the Natural Resources Body for Wales ”.

**297.** In regulations 17 and 18, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**298.** In Schedule 2, in paragraph 2, and in Schedules 3 and 4, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

### Dee Estuary Cockle Fishery Order 2008

**299.** The Dee Estuary Cockle Fishery Order 2008 <sup>M86</sup> is amended as follows.

#### Marginal Citations

**M86** [S.I. 2008/1472](#)

**300.**—(1) Article 2 is amended as follows.

(2) In the appropriate place insert— “ “England” includes the sea adjacent to England, not forming any part of Wales, to a distance of 12 nautical miles from the baselines from which the breadth of the territorial sea is measured; ”.

(3) For the definition of “the grantee” substitute—

““the grantee” means the Environment Agency in relation to England and the Natural Resources Body for Wales in relation to Wales;”.

(4) In the appropriate place insert—

“Wales” has the meaning given by section 158 of the Government of Wales Act 2006 <sup>M87</sup> .”

#### Marginal Citations

**M87** [2006 c. 32](#). The boundary between the sea adjacent to Wales and that adjacent to England is described by article 6 of and Schedule 3 to the [National Assembly for Wales \(Transfer of Functions\) Order 1999 \(S.I. 1999/672\)](#). By virtue of section 162 of and paragraph 26 of Schedule 11 to the 2006 Act, [S.I. 1999/672](#) continues to have effect.

**301.** In article 5, after paragraph (1) insert—

“(1A) A licence must apply in relation to the whole of the area of the fishery.”

### REACH Enforcement Regulations 2008

**302.** The REACH Enforcement Regulations 2008 <sup>M88</sup> are amended as follows.

#### Marginal Citations

**M88** [S.I. 2008/2852](#) as amended by [S.I. 2009/716](#), [S.I. 2010/1513](#), [S.I. 2011/3058](#), [S.I. 2012/632](#).

**303.** In regulation 2(2), in the definition of “enforcing authority”, after sub-paragraph (h) insert—  
“(i) the Natural Resources Body for Wales;”.

**304.** In regulation 21(2)(a), after “the Environment Agency,” insert “ the Natural Resources Body for Wales, ”.

**305.**—(1) In Schedule 1, the Table is amended as follows.

(2) In the third column, in the rows to which this sub-paragraph applies, for “The Environment Agency.” substitute “ In relation to England, the Environment Agency. In relation to Wales, the Natural Resources Body for Wales. ”

(3) Sub-paragraph (2) applies to the rows relating to the following articles—

- (a) article 9(6);
- (b) article 14(6);
- (c) article 36(1);
- (d) article 37(4);
- (e) both rows relating to article 37(5);
- (f) article 37(6);
- (g) article 38(1);
- (h) article 38(3);
- (i) article 56(1);
- (j) article 56(2);
- (k) article 60(10);
- (l) article 67(1).

**306.** In Schedule 2, in paragraph 1, after “the Environment Agency,” insert “ the Natural Resources Body for Wales, ”.

**307.** In Schedule 6, in the heading to Part 1, after “The Environment Agency,” insert “ the Natural Resources Body for Wales, ”.

**308.**—(1) Schedule 7 is amended as follows.

(2) In paragraph 1, after “the Environment Agency” insert “ , the Natural Resources Body for Wales ”.

(3) Accordingly, in the heading to Section 1, after “The Environment Agency” insert “ , the Natural Resources Body for Wales ”.

**309.**—(1) Schedule 8 is amended as follows.

(2) In paragraph 1—

(a) for sub-paragraph (a) substitute—

“(a) the Environment Agency, the Secretary of State;”;

(b) after sub-paragraph (a) insert—

“(aa) the Natural Resources Body for Wales, the Welsh Ministers;”.

(2) Accordingly, in the heading to Part 1, after “the Environment Agency,” insert “ the Natural Resources Body for Wales, ”.

### **Transfrontier Shipment of Radioactive Waste and Spent Fuel Regulations 2008**

**310.** The Transfrontier Shipment of Radioactive Waste and Spent Fuel Regulations 2008<sup>M89</sup> are amended as follows.

**Status:** Point in time view as at 01/10/2015.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, SCHEDULE 4. (See end of Document for details)

**Marginal Citations**

**M89** [S.I. 2008/3087](#) as amended by [S.I. 2011/1043](#).

**311.**—(1) Regulation 2 is amended as follows.

(2) In the definition of “competent authority”—

(a) in sub-paragraph (a) , omit “and Wales”;

(b) after sub-paragraph (a) insert—

“(aa) in Wales, the Natural Resources Body for Wales;”.

**312.** In regulation 16, for “and Wales” substitute “ , the Welsh Ministers in Wales ”.

**Environmental Damage (Prevention and Remediation) Regulations 2009**

**313.** In regulation 10(2) of the Environmental Damage (Prevention and Remediation) Regulations 2009 <sup>M90</sup>, for “the Environment Agency”, in the first place where it occurs, substitute “ either the Environment Agency or the Natural Resources Body for Wales ”.

**Marginal Citations**

**M90** [S.I. 2009/153](#) as amended by [S.I. 2009/3275](#), [S.I. 2010/587](#), [S.I. 2010/675](#), [S.I. 2010/2221](#), [S.I. 2011/556](#) (C. 19), [S.I. 2011/988](#), [S.I. 2011/1043](#), [S.I. 2011/2131](#), [S.I. 2012/630](#), [S.I. 2012/2897](#).

**Ozone-Depleting Substances (Qualifications) Regulations 2009**

<sup>F2</sup>**314.** . . . . .

**Textual Amendments**

**F2** Sch. 4 para. 314 revoked (7.3.2015) by [The Ozone-Depleting Substances Regulations 2015](#) (S.I. 2015/168), regs. 1(2), **21(2)(b)** (with reg. 12(7))

**Fluorinated Greenhouse Gases Regulations 2009**

<sup>F3</sup>**315.** . . . . .

**Textual Amendments**

**F3** Sch. 4 paras. 315-317 omitted (19.3.2015) by virtue of [The Fluorinated Greenhouse Gases Regulations 2015](#) (S.I. 2015/310), regs. 1(1)(b), **33(3)**

<sup>F3</sup>**316.** . . . . .

**Textual Amendments**

**F3** Sch. 4 paras. 315-317 omitted (19.3.2015) by virtue of [The Fluorinated Greenhouse Gases Regulations 2015](#) (S.I. 2015/310), regs. 1(1)(b), **33(3)**

<sup>F3</sup>317. ....

**Textual Amendments**

**F3** Sch. 4 paras. 315-317 omitted (19.3.2015) by virtue of [The Fluorinated Greenhouse Gases Regulations 2015 \(S.I. 2015/310\)](#), regs. 1(1)(b), **33(3)**

**Waste Batteries and Accumulators Regulations 2009**

**318.** The Waste Batteries and Accumulators Regulations 2009 <sup>M91</sup> are amended as follows.

**Marginal Citations**

**M91** [S.I. 2009/890](#) as amended by [S.I. 2009/3381](#), [S.I. 2010/675](#), [S.I. 2011/988](#), [S.I. 2011/1043](#).

**319.**—(1) Regulation 2(1) is amended as follows.

(2) In the definition of “extension of approval charge”, in sub-paragraph (a), after “Environment Agency” insert “, the NRBW”.

(3) In the appropriate place insert—

““NRBW” means the Natural Resources Body for Wales”.

(4) In the definition of “scheme application charge”, in sub-paragraph (a), after “Environment Agency” insert “, the NRBW”.

(5) in the definition of “scheme subsistence charge”, in sub-paragraph (a), after “Environment Agency” insert “, the NRBW”.

(6) in the definition of “treatment, recycling and export application charge”, in sub-paragraph (a), after “Environment Agency” insert “, the NRBW”.

**320.**—(1) Regulation 3(2) is amended as follows.

(2) In sub-paragraph (a), omit “and Wales”.

(3) After sub-paragraph (a) insert—

“(aa) Wales is the NRBW;”

**321.** In regulation 13(2)(d)(i), after “Environment Agency” insert “, the NRBW”.

**322.**—(1) Regulation 83 is amended as follows.

(2) In paragraph (1), after “Environment Agency,” insert “ the NRBW, ”.

(3) In paragraph (2)—

(a) in sub-paragraph (a), omit the words after “Secretary of State”;

(b) after sub-paragraph (a) insert—

“(aa) against a decision of the NRBW must be made to the Welsh Ministers;”.

(3) Omit paragraph (3).

**323.**—(1) Regulation 86(2) is amended as follows.

(2) In sub-paragraph (a), omit “and Wales”.

(3) After sub-paragraph (a) insert—

*Status: Point in time view as at 01/10/2015.*

*Changes to legislation: There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, SCHEDULE 4. (See end of Document for details)*

“(aa) in Wales, the NRBW;”.

### **Proceeds of Crime Act 2002 (References to Financial Investigators) Order 2009**

**324.**—(1) Schedule 1 to the Proceeds of Crime Act 2002 (References to Financial Investigators) Order 2009 <sup>M92</sup> is amended as follows.

(2) In the entry relating to section 42(2)(c), in column 2, in paragraph (c), after sub-paragraph (xi) insert—

“(xia) the Natural Resources Body for Wales;”.

(3) In the entry relating to section 68(3)(c), in column 2, in paragraph (b), after sub-paragraph (xi) insert—

“(xia) the Natural Resources Body for Wales and is not below the grade of senior manager;”.

(4) In the entry relating to section 378(1)(b), in column 2, in paragraph (b) of the entry relating to England and Wales, after sub-paragraph (xi) insert—

“(xia) the Natural Resources Body for Wales;”.

(5) In the entry relating to section 378(2)(d), in column 2, in paragraph (b) of the entry relating to England and Wales, after sub-paragraph (xi) insert—

“(xia) the Natural Resources Body for Wales and is not below the grade of senior manager;”.

#### **Marginal Citations**

**M92** [S.I. 2009/975](#) as amended by [S.I. 2009/2707](#), [S.I. 2009/2748](#), [S.I. 2011/2085](#).

### **Infrastructure Planning (National Policy Statement Consultation) Regulations 2009**

**325.**—(1) Regulation 3 of the Infrastructure Planning (National Policy Statement Consultation) Regulations 2009 <sup>M93</sup> is amended as follows.

(2) In Table 1—

(a) in column 2 of the entry for the Forestry Commission, after “forests and woodlands” insert “ in England or Scotland ”;

(b) in column 1, for “The Countryside Council for Wales” substitute “ The Natural Resources Body for Wales ”.

#### **Marginal Citations**

**M93** [S.I. 2009/1302](#) as amended by [S.I. 2010/439](#), [S.I.2012/2654](#), [S.I 2012/2732](#) and modified by [S.I. 2012/1659](#).

### **Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009**

**326.** The Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009 <sup>M94</sup> are amended as follows.

#### **Marginal Citations**

**M94** [S.I. 2009/1927](#).

**327.**—(1) Regulation 2 is amended as follows.

(2) Before the definition of “Category A mining waste facility” insert—

“the 2010 Regulations” means the Environmental Permitting (England and Wales) Regulations 2010;”.

(3) In the appropriate place insert—

“regulator” means—

- (a) the Natural Resources Body for Wales where that body is the regulator of the mining waste facility under the 2010 Regulations;
- (b) the Environment Agency, where that body is the regulator of the mining waste facility under the 2010 Regulations;”.

**328.**—(1) Regulation 4 is amended as follows.

(2) For “Environment Agency”, in each place where it occurs, substitute “ regulator ”.

(3) In paragraph (1), for “in its area” substitute “ in the authority's area ”.

**329.** In regulations 9(3) and 10(1), for “Environment Agency” substitute “ regulator ”.

### **Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009**

**330.**—(1) In Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 <sup>M95</sup>, the Table is amended as follows.

(2) In the entry for the Environment Agency, in columns 2 and 3, omit “and/or Wales”.

(3) In column 1, for “The Countryside Council for Wales” substitute “ The Natural Resources Body for Wales ”.

(4) In the entry for the Forestry Commission, in columns 2 and 3, after “forests and woodlands” insert “ in England or Scotland ”.

(5) After the entry for the Forestry Commission insert a new entry—

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“The Natural Resources Body for Wales	All proposed applications likely to affect the protection or expansion of forests and woodlands in Wales	All applications likely to affect the protection or expansion of forests and woodlands in Wales”.
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#### **Marginal Citations**

**M95** [S.I. 2009/2264](#) as amended by [S.I. 2010/439](#), [S.I. 2012/635](#), [S.I. 2012/2654](#), [S.I. 2012/2732](#); modified by [S.I. 2012/1659](#).

### **Flood Risk Regulations 2009**

**331.** The Flood Risk Regulations 2009 <sup>M96</sup> are amended as follows.

#### **Marginal Citations**

**M96** [S.I. 2009/3042](#) as amended by [S.I. 2010/1102](#), [S.I. 2011/2880](#) (W. 308).

**332.** After regulation 8B insert—

*Status: Point in time view as at 01/10/2015.*

*Changes to legislation: There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, SCHEDULE 4. (See end of Document for details)*

**““Appropriate agency”**

**8C** The “appropriate agency” means—

- (a) in relation to a river basin district that is wholly in Wales, the Natural Resources Body for Wales;
- (b) in relation to a river basin district that is partly in Wales and partly in England, the Natural Resources Body for Wales and the Environment Agency acting jointly;
- (c) in relation to any other river basin district, the Environment Agency.”

**333.** In regulation 9(1), and in the heading to regulation 9, for “Environment Agency” substitute “appropriate agency”.

**334.—**(1) Regulation 10 is amended as follows.

(2) In paragraph (3), for “Environment Agency” substitute “ appropriate agency ”.

(3) In paragraph (5)—

- (a) for “The Agency's” substitute “ The Environment Agency's ”;
- (b) after “authority” insert “ for an area in England ”.

(4) After paragraph (5) insert—

“(5A) The power of the Natural Resources Body for Wales to require information under regulation 36 includes power to require a lead local flood authority for an area in Wales to provide a preliminary assessment report by a specified date.”

**335.** In regulation 11(2)(a), after “the Environment Agency” insert “ or the Natural Resources Body for Wales ”.

**336.—**(1) Regulation 12 is amended as follows.

(2) In paragraph (2)(b), after “the Environment Agency” insert “ or the Natural Resources Body for Wales ”.

(3) In paragraph (7), for “Environment Agency”, in the first place where it occurs, substitute “ appropriate agency ”.

**337.—**(1) Regulation 13 is amended as follows.

(2) In paragraph (1), for “Environment Agency” substitute “ appropriate agency ”.

(3) In paragraph (2), for “Agency” substitute “ appropriate agency ”.

(4) Accordingly, in the heading to regulation 13, for “Environment Agency” substitute “ appropriate agency ”.

**338.—**(1) Regulation 14 is amended as follows.

(2) In paragraph (4), for “Environment Agency” substitute “ appropriate agency ”.

(3) In paragraphs (5) and (7), for “Agency” substitute “ appropriate agency ”.

(4) In paragraph (8)—

- (a) for “The Agency's” substitute “ The Environment Agency's ”;
- (b) after “authority” insert “ for an area in England ”.

(5) After paragraph (8) insert—

“(8A) The power of the Natural Resources Body for Wales to require information under regulation 36 includes power to require a lead local flood authority for an area in Wales to



notify the Body of its determination and identification of a flood risk area by a specified date.”

**339.**—(1) Regulation 15(1) is amended as follows.

(2) In the opening words, for “Environment Agency” substitute “ appropriate agency ”.

(3) In sub-paragraph (b), for “Agency” substitute “ appropriate agency ”.

**340.** In regulations 16 and 18, for “Environment Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**341.**—(1) Regulation 19 is amended as follows.

(2) In paragraph (4), for “Environment Agency” substitute “ appropriate agency ”.

(3) In paragraph (6)—

(a) for “The Agency's” substitute “ The Environment Agency's ”;

(b) after “authority” insert “ for an area in England ”.

(4) After paragraph (6) insert—

“(7) The power of the Natural Resources Body for Wales to require information under regulation 36 includes power to require a lead local flood authority for an area in Wales to provide a flood hazard map or a flood risk map by a specified date.”

**342.** In regulation 20(8), for “Environment Agency” in the first place where it occurs, substitute “ appropriate agency ”.

**343.** In regulation 21(4), for “Environment Agency”, in the first place where it occurs, substitute “ appropriate agency ”.

**344.** In regulation 22, for “the Environment Agency” and “the Agency” substitute “ the appropriate agency ”.

**345.**—(1) Regulation 23 is amended as follows.

(2) In paragraph (1), for “Environment Agency” substitute “ appropriate agency ”.

(3) In paragraphs (2) and (5), for “Agency” substitute “ appropriate agency ”.

(4) Accordingly, the heading to regulation 23 becomes “ Review: appropriate agency ”.

**346.** In regulation 25, for “Environment Agency”, in each place where it occurs (including in the heading), substitute “ appropriate agency ”.

**347.**—(1) Regulation 26 is amended as follows.

(2) In paragraph (3), for “Environment Agency” substitute “ appropriate agency ”.

(3) In paragraph (5)—

(a) for “The Agency's” substitute “ The Environment Agency's ”;

(b) after “authority” insert “ for an area in England ”.

(4) After paragraph (5) insert—

“(6) The power of the Natural Resources Body for Wales to require information under regulation 36 includes power to require a lead local flood authority for an area in Wales to provide a flood risk management plan by a specified date.”

**348.**—(1) Regulation 27 is amended as follows.

(2) In paragraphs (7) and (8), for “Environment Agency” substitute “ appropriate agency ”.

**Status:** Point in time view as at 01/10/2015.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, SCHEDULE 4. (See end of Document for details)

(3) In paragraph (9), in sub-paragraphs (a) and (b), for “Environment Agency”, in the first place where it occurs, substitute “ appropriate agency ”.

**349.** In regulation 28(1), for “the Environment Agency” and “the Agency” substitute “ the appropriate agency ”.

**350.**—(1) Regulation 29 is amended as follows.

(2) In paragraph (1), for “Environment Agency” substitute “ appropriate agency ”.

(3) In paragraph (4), for “Agency” substitute “ appropriate agency ”.

(4) Accordingly, the heading to regulation 29 becomes “ Review: appropriate agency ”.

**351.**—(1) Regulation 32 is amended as follows.

(2) In paragraphs (1)(a) and (3), for “Environment Agency” substitute “ appropriate agency ”.

(3) In paragraphs (2) and (6), for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(4) Accordingly, the heading to regulation 32 becomes “ Part 2: appropriate agency ”.

**352.**—(1) Regulation 35(2) is amended as follows.

(2) At the end of sub-paragraph (a), omit “and”.

(3) After sub-paragraph (a) insert—

“(aa) the Natural Resources Body for Wales, and”.

**353.**—(1) Regulation 36 is amended as follows.

(2) In paragraph (1)—

(a) after “the Environment Agency” insert “ or the Natural Resources Body for Wales ”;

(b) after “the Agency” insert “ or the Body ”.

(3) In paragraph (2), for “The Environment Agency and an” substitute “ An ”.

(4) In paragraph (3)—

(a) before sub-paragraph (a) insert—

“(za) the Environment Agency,

(zb) the Natural Resources Body for Wales;”;

(b) omit sub-paragraph (k).

## **Eels (England and Wales) Regulations 2009**

**354.** The Eels (England and Wales) Regulations 2009 <sup>M97</sup> are amended as follows.

### **Marginal Citations**

**M97** [S.I. 2009/3344](#) as amended by [S.I. 2011/2976](#).

**355.** In regulation 2, in the appropriate places insert the following definitions—

““the appropriate agency” means (except as provided in regulation 4)—

(a) in relation to England, the Agency, and

(b) in relation to Wales, the NRBW;”;

““the NRBW” means the Natural Resources Body for Wales;”.

**356.**—(1) Regulation 4 is amended as follows.

(2) For “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(3) After paragraph (3) insert—

“(4) For the purposes of this regulation, “the appropriate agency” means—

(a) in relation to business premises in England, the Agency;

(b) in relation to business premises in Wales, the NRBW; and

(c) in relation to business premises partly in England and partly in Wales, the Agency or the NRBW, at the election of the aquaculture production business operator.

(5) The election referred to in paragraph (4)(c) must be notified in writing to both the Agency and the NRBW on or before 31 January in each year that the premises are used in connection with an aquaculture production business.”

**357.** In regulation 6(1)(e), after “Agency” insert “ , where those certificates are retained in England, or the NRBW, where those certificates are retained in Wales, ”.

**358.** In regulation 7(2), after “Agency” insert “ , where those documents are retained in England, or the NRBW, where those documents are retained in Wales, ”.

**359.** In regulations 8, 12 to 14, 17, 20 and 21, for “Agency”, in each place where it occurs (including in the heading to regulation 20), substitute “ appropriate agency ”.

**360.**—(1) Regulation 26 is amended as follows.

(2) In paragraph (1)—

(a) in the opening words, for “Agency” substitute “ appropriate agency ”;

(b) in sub-paragraph (a), after “these Regulations” insert “ as they apply in relation to England (in the case of a person designated by the Agency) or in relation to Wales (in the case of a person designated by the Natural Resources Body for Wales) ”.

(3) In paragraph (4), for “Agency” substitute “ appropriate agency ”.

**361.** In the Schedule, in paragraphs 3 to 5, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

### **Infrastructure Planning (Interested Parties) Regulations 2010**

**362.**—(1) In the Schedule to the Infrastructure Planning (Interested Parties) Regulations 2010<sup>M98</sup>, the Table is amended as follows.

(2) In the entry for the Environment Agency, in column 2, omit “and/or Wales”.

(3) In column 1, for “The Countryside Council for Wales” substitute “ The Natural Resources Body for Wales ”.

(4) In the entry for the Forestry Commission, in column 2, after “forests and woodlands” insert “ in England or Scotland ”.

(5) After the entry for the Forestry Commission insert a new entry—

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“The Natural Resources Body for Wales

All applications likely to affect the protection or expansion of forests and woodlands in Wales”.

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**Status:** Point in time view as at 01/10/2015.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, SCHEDULE 4. (See end of Document for details)

#### Marginal Citations

**M98** [S.I. 2010/102](#) as amended by [S.I. 2012/635](#), [S.I. 2012/2654](#), [S.I. 2012/2732](#); modified by [S.I. 2012/1659](#).

### Infrastructure Planning (Compulsory Acquisition) Regulations 2010

**363.**—(1) In Schedule 2 to the Infrastructure Planning (Compulsory Acquisition) Regulations 2010<sup>M99</sup>, the Table is amended as follows.

(2) In the entry for the Environment Agency, in column 2, omit “and/or Wales”.

(3) In column 1, for “The Countryside Council for Wales” substitute “ The Natural Resources Body for Wales ”.

(4) In the entry for the Forestry Commission, in column 2, after “forests and woodlands” insert “ in England or Scotland ”.

(5) After the entry for the Forestry Commission insert a new entry—

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“The Natural Resources Body for Wales

All proposed provisions likely to affect the protection or expansion of forests and woodlands in Wales”.

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#### Marginal Citations

**M99** [S.I. 2010/104](#) as amended by [S.I. 2011/2055](#), [S.I. 2012/635](#), [S.I. 2012/2654](#), [S.I. 2012/2732](#); modified by [S.I. 2012/1659](#).

### Mercury Export and Data (Enforcement) Regulations 2010

**364.**—(1) Regulation 4(1) of the Mercury Export and Data (Enforcement) Regulations 2010<sup>M100</sup> is amended as follows.

(2) In sub-paragraph (a), omit “and Wales”.

(3) After sub-paragraph (a) insert—

“(aa) in Wales, the Natural Resources Body for Wales;”.

#### Marginal Citations

**M100** [S.I. 2010/265](#) as amended by [S.I. 2012/630](#).

### Conservation of Habitats and Species Regulations 2010

**365.** The Conservation of Habitats and Species Regulations 2010<sup>M101</sup> are amended as follows.

#### Marginal Citations

**M101** [S.I. 2010/490](#) as amended by [S.I. 2011/625](#), [S.I. 2012/630](#), [S.I. 2012/635](#), [S.I. 2012/1927](#).

**366.** In regulation 5, for “the Countryside Council for Wales”, in each place where it occurs, substitute “ the Natural Resources Body for Wales ”.

**Status:** Point in time view as at 01/10/2015.

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**367.** In regulation 9(2), for the words from “sections 131, 132 and 134” to “Countryside Council for Wales)” substitute “ the Natural Resources Body for Wales (Establishment) Order 2012, where the functions are exercised for purposes relating to nature conservation ”.

**368.** In regulation 9A(10), after “Forestry Commissioners,” insert “ the Natural Resources Body for Wales, ”.

**369.** In regulation 17(1), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**370.—**(1) Regulation 56 is amended as follows.

(2) In paragraph (2)—

(a) after “means” insert “ in relation to England ”;

(b) for sub-paragraphs (a) and (b) substitute—

“(a) so far as the licence relates to the restricted English inshore region, the Marine Management Organisation, and

(b) otherwise, Natural England.”

(3) In paragraph (3), after “granted” insert “ in relation to England ”.

(4) After paragraph (3) insert—

“(4) In the case of a licence granted in relation to Wales, “relevant licensing body” means the Natural Resources Body for Wales.”

**371.** In regulation 99(2), after “the Environment Agency” insert “ in relation to England or the Natural Resources Body for Wales in relation to Wales ”.

**372.** In regulation 127(2), after “the Environment Agency” insert “ in relation to England or the Natural Resources Body for Wales in relation to Wales ”.

**373.—**(1) Regulation 129 is amended as follows.

(2) In paragraph (2), for “The Countryside Council for Wales” substitute “ The Natural Resources Body for Wales ”.

(3) Accordingly, in the heading to regulation 129, for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

### **Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010**

**374.** In Part 2 of the Schedule to the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010 <sup>M102</sup>, at the end insert—

“The Natural Resources Body for Wales	Executive team member	Senior manager	Paragraphs (b), (d) and (e)”.
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#### **Marginal Citations**

**M102** [S.I. 2010/521](#) as amended by [S.I. 2011/2085](#), [S.I. 2012/1500](#), [S.I. 2012/2007](#).

**Status:** Point in time view as at 01/10/2015.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, SCHEDULE 4. (See end of Document for details)

## Environmental Permitting (England and Wales) Regulations 2010

**375.** The Environmental Permitting (England and Wales) Regulations 2010 <sup>M103</sup> are amended as follows.

### Marginal Citations

**M103** S.I. 2010/675 as amended by S.I. 2010/676, S.I. 2010/2172, S.I. 2011/881, S.I. 2011/988, S.I. 2011/1043, S.I. 2011/2043, S.I. 2011/2377 (W. 250), S.I. 2011/2933, S.I. 2012/630, S.I. 2012/811.

**376.**—(1) Regulation 2(1) is amended as follows.

(2) In the appropriate places insert the following definitions—

““appropriate agency” means—

- (a) in relation to England, the Agency, and
- (b) in relation to Wales, the NRBW,

and references to the “area” of an appropriate agency are to be construed accordingly;”;

““the NRBW” means the Natural Resources Body for Wales;”.

(3) In the definition of “rule-making authority”, in sub-paragraph (b), for “Agency” substitute “appropriate agency”.

<sup>F4</sup>**377.** . . . . .

### Textual Amendments

**F4** Sch. 4 para. 377 omitted (5.3.2014) by virtue of [The Environmental Permitting \(England and Wales\) \(Amendment\) Regulations 2014 \(S.I. 2014/255\)](#), regs. 1, 21

**378.**—(1) Regulation 33 is amended as follows.

(2) In paragraph (1), for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(3) In paragraph (6)—

(a) in sub-paragraph (a), before “the Agency” insert “ where the appropriate authority is the Secretary of State, ”;

(b) after sub-paragraph (a), omit “and” and insert—

“(aa) where the appropriate authority is the Welsh Ministers, the NRBW, and”.

(4) In paragraph (8), for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**379.** In regulation 46, for “Agency's” and “Agency”, in each place where they occur, substitute “ appropriate agency's ” and “ appropriate agency ” respectively.

**380.**—(1) In regulations 58 and 59, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

(2) Accordingly, in the headings to those regulations, for “Environment Agency” substitute “ Appropriate agency ”.

**381.** In regulations 61 and 63, for “Agency”, in each place where it occurs (including in the heading to regulation 63), substitute “ appropriate agency ”.

**382.** In regulation 65, for “Agency” and “Agency’s”, in each place where they occur, substitute “appropriate agency” and “appropriate agency’s” respectively.

**383.**—(1) Regulation 108 is amended as follows.

(2) At the end of paragraph (2) insert “with the modifications set out in paragraph (2A)”.

(3) After paragraph (2) insert—

“(2A) In paragraph 2(1) of Schedule 2 to the 2007 Regulations, and in paragraphs 7(2)(a) and 30(1)(b)(i) of Schedule 3 to those Regulations, as they continue in force by virtue of paragraph (2), references to the Agency are deemed in relation to Wales to be references to the NRBW (such that the NRBW is the exemption registration authority in relation to waste operations in Wales falling within Part 1 of Schedule 3 to the 2007 Regulations, subject to paragraph 2(2) and (3) of that Schedule).”

**384.** In Schedule 2, in paragraph 2(1), (4) and (5), for “Agency” substitute “appropriate agency”.

**385.** In Part 2 of Schedule 23, after paragraph 11 insert—

**“Discharge of functions: mobile radioactive apparatus**

**11A.**—(1) In the case of an activity described in paragraph 11(5), if the principal place where the apparatus mentioned in that sub-paragraph is kept when not in use is in England or Wales, functions in relation to the activity are exercisable by the appropriate agency in whose area the principal place of keeping is.

(2) But sub-paragraph (1) does not apply to functions under regulations 36, 37, 38 and 42 (which are exercisable in relation to the activity in accordance with regulation 32(1)).”

**CRC Energy Efficiency Scheme Order 2010**

**386.** The CRC Energy Efficiency Scheme Order 2010 <sup>M104</sup> is amended as follows.

**Marginal Citations**

**M104** S.I. 2010/768 as amended by S.I. 2011/234.

**387.**—(1) Article 9 is amended as follows.

(2) In paragraph (1)(b)—

(a) in paragraph (i) omit “and Wales”;

(b) after paragraph (i) insert—

“(ia) the Natural Resources Body for Wales, in respect of Wales;”.

(3) In paragraph (2), after sub-paragraph (a) insert—

“(aa) the Natural Resources Body for Wales, the Welsh Ministers;”.

**388.**—(1) Schedule 10 is amended as follows.

(2) In paragraph 2—

(a) for sub-paragraph (a) substitute—

“(a) the Environment Agency, the appeal body is the Secretary of State;”;

(b) after sub-paragraph (a) insert—

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“(aa) the Natural Resources Body for Wales, the appeal body is the Welsh Ministers;”.

(3) In paragraph 6, after sub-paragraph (a) insert—

“(aa) the Welsh Ministers;”.

### **Merchant Shipping (Ship-to-Ship Transfers) Regulations 2010**

**389.**—(1) Regulation 2 of the Merchant Shipping (Ship-to-Ship Transfers) Regulations 2010<sup>M105</sup> is amended as follows.

(2) In the definition of “the consultation bodies”, in sub-paragraph (a)(ii), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

#### **Marginal Citations**

**M105** [S.I. 2010/1228](#) as amended by [S.I. 2010/1769](#), [S.I. 2011/974](#), [S.I. 2011/2183](#), [S.I. 2012/742](#).

### **Flood Risk Management Functions Order 2010**

**390.** In article 2(1)(a) of the Flood Risk Management Functions Order 2010<sup>M106</sup>, after “the Environment Agency” insert “ or the Natural Resources Body for Wales ”.

#### **Marginal Citations**

**M106** [S.I. 2010/2232](#).

### **Flood and Water Management Act 2010 (Commencement No 3 and Transitional Provisions) Order 2011**

**391.** In article 5(2) of the Flood and Water Management Act 2010 (Commencement No 3 and Transitional Provisions) Order 2011<sup>M107</sup>, after “the Agency”, in each place where it occurs, insert “ in relation to English Committees or the Natural Resources Body for Wales in relation to Welsh Committees ”.

#### **Marginal Citations**

**M107** [S.I. 2011/694](#) (C. 25).

### **Regional Flood and Coastal Committees (England and Wales) Regulations 2011**

**392.** The Regional Flood and Coastal Committees (England and Wales) Regulations 2011<sup>M108</sup> are amended as follows.

#### **Marginal Citations**

**M108** [S.I. 2011/695](#).

**393.**—(1) Regulation 4 is amended as follows.

(2) For “Agency”, in each place where it occurs, substitute “ appropriate agency ”.



(3) In paragraph (3)(a), in the opening words, for “and” substitute “ or ”.

(4) After paragraph (6) insert—

“(7) In the case of a revision affecting the boundary between a region wholly or mainly in England and a region wholly or mainly in Wales—

(a) the functions of the appropriate agency under paragraphs (1) and (2) are exercisable by the Agency and the Natural Resources Body for Wales acting jointly;

(b) paragraph (3)(a) is satisfied when both the Agency and the Natural Resources Body for Wales publish a map or maps fulfilling the conditions specified in that paragraph.”

**394.** In regulations 5 to 7, 8(1) and (2) and 9, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

**395.** In regulation 11(1)(b)(i), after “the Agency” insert “ or the Natural Resources Body for Wales ”.

**396.** In regulations 14, 18(1)(c), 19(1)(c), 22(b), 27 and 28(1), for “Agency”, in each place where it occurs (including in the heading to regulation 14), substitute “ appropriate agency ”.

### **Environment Agency (Levies) (England and Wales) Regulations 2011**

**397.** The Environment Agency (Levies) (England and Wales) Regulations 2011 <sup>M109</sup> are amended as follows.

#### **Marginal Citations**

**M109** S.I. 2011/696.

**398.** In the title to the Regulations, for “Environment Agency” substitute “ Flood and Coastal Erosion Risk Management ”.

**399.**—(1) Regulation 1 is amended as follows.

(2) In paragraph (1)(a), for “Environment Agency” substitute “ Flood and Coastal Erosion Risk Management ”.

(3) After paragraph (2) insert—

“(3) Any reference to the Environment Agency (Levies) (England and Wales) Regulations 2011, wherever it occurs, is to be treated as a reference to these Regulations.”

**400.**—(1) Regulation 2 is amended as follows.

(2) In the definitions of “actual expenditure”, “flood and coastal erosion risk management functions”, “levy” and “qualifying expenses”, for “Agency” and “Agency's”, in each place where they occur, substitute “ appropriate agency ” and “ appropriate agency's ” respectively.

(3) In the appropriate place insert—

““the appropriate agency” means the Agency in relation to England and the Natural Resources Body for Wales in relation to Wales;”.

**401.** In regulations 3 to 6 and 8 to 12, for “Agency” and “Agency's”, in each place where they occur (including in the heading to regulation 12), substitute “ appropriate agency ” and “ appropriate agency's ” respectively.

*Status: Point in time view as at 01/10/2015.*

*Changes to legislation: There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, SCHEDULE 4. (See end of Document for details)*

## Waste (England and Wales) Regulations 2011

**402.** The Waste (England and Wales) Regulations 2011 <sup>M110</sup> are amended as follows.

### Marginal Citations

**M110** S.I. 2011/988 as amended by S.I. 2011/600 (W. 88), S.I. 2011/2043 and S.I. 2012/1889.

**403.** In regulation 3(1), in the appropriate place insert—

““appropriate body” means—

- (a) in relation to England, the Environment Agency;
- (b) in relation to Wales, the Natural Resources Body for Wales;”.

**404.** For regulation 9 substitute—

### “Directions to the appropriate body

**9.—(1)** An appropriate authority may give directions to an appropriate body requiring it—

- (a) to advise the authority on the measures or policies which are to be included in a waste prevention programme or waste management plan;
- (b) to carry out a survey or investigation into any other matter in connection with the preparation of such a programme or plan or any modification of it, and report its findings to the authority.

**(2)** A direction given under paragraph (1)(b)—

- (a) must specify or describe the matters which are to be the subject of the survey or investigation;
- (b) may specify bodies or persons to be consulted before carrying out the survey or investigation; and
- (c) may make provision in relation to the manner in which—
  - (i) the survey or investigation is to be carried out; or
  - (ii) the findings are to be reported and made available.

**(3)** The appropriate body must comply with a direction given under paragraph (1).

**(4)** Where a direction is given under paragraph (1)(b), the appropriate body must also consult any body or person that it considers appropriate but is not specified in the direction.

**(5)** The appropriate body must make its findings available to the bodies and persons it consults.

**(6)** The power under paragraph (1) may only be exercised—

- (a) by the Secretary of State in relation to the Natural Resources Body for Wales, with the consent of the Welsh Ministers;
- (b) by the Welsh Ministers in relation to the Environment Agency, with the consent of the Secretary of State.”

**405.** In regulations 10(2), 25 and 28(1), for “Environment Agency” substitute “ appropriate body ”.

**406.** For regulation 29 substitute—

#### “Procedure for registration

**29.**—(1) This regulation applies to—

- (a) registration of a carrier for the purposes of the Control of Pollution (Amendment) Act 1989; and
- (b) registration of a broker or dealer for the purposes of regulation 25.

(2) An application for registration must be made to the appropriate body, using the form provided by that body.

(3) All the information required by the form must be provided, together with any fee prescribed in a charging scheme made by the appropriate body under section 41 of the Environment Act 1995.

(4) The appropriate body may require additional information to be provided.

(5) Registration may be refused if, in the opinion of the appropriate body—

- (a) it is undesirable for the applicant to be authorised to transport controlled waste or to act as a broker or dealer of controlled waste (as the case may be); and
- (b) the applicant or another relevant person has been convicted of an offence under—
  - (i) regulation 42,
  - (ii) section 1, 5 or 7(3) of the Control of Pollution (Amendment) Act 1989,
  - (iii) section 33 or 34 of the Environmental Protection Act 1990,
  - (iv) section 110(2) of the Environment Act 1995,
  - (v) the Hazardous Waste (England and Wales) Regulations 2005,
  - (vi) the Hazardous Waste (Wales) Regulations 2005,
  - (vii) the Transfrontier Shipment of Waste Regulations 2007,
  - (viii) regulation 38 of the Environmental Permitting (England and Wales) Regulations 2007, or
  - (ix) regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010.

(6) On registration the appropriate body must provide a certificate of registration to the applicant.

(7) If registration is refused the appropriate body must notify the applicant and give written reasons for the refusal.

(8) For the purposes of an application under paragraph (2) the appropriate body is—

- (a) in the case of a carrier, broker or dealer whose registered office or principal place of business is in England, the Environment Agency;
- (b) in the case of a carrier, broker or dealer whose registered office or principal place of business is in Wales, the Natural Resources Body for Wales.”

**407.**—(1) Regulation 30 is amended as follows.

(2) In paragraph (1), for “Environment Agency” substitute “ appropriate body ”.

(3) In paragraphs (2) to (4), for “Agency” substitute “ appropriate body ”.

**408.** In regulation 32(1)(b) and (2), for “Agency” substitute “ appropriate body ”.

**409.** In regulations 34, 35(6), 37 to 40 and 46, for “Environment Agency”, in each place where it occurs, substitute “ appropriate body ”.

**Status:** Point in time view as at 01/10/2015.

**Changes to legislation:** There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, SCHEDULE 4. (See end of Document for details)

**410.**—(1) In Schedule 1, paragraph 13 is amended as follows.

(2) In the definition of “consultation bodies”, in sub-paragraph (b), for “the Countryside Council for Wales” substitute “ the Natural Resources Body for Wales ”.

**Environmental Protection (Controls on Ozone-Depleting Substances) Regulations 2011**

**411.**—(1) Regulation 7 of the Environmental Protection (Controls on Ozone-Depleting Substances) Regulations 2011 <sup>M111</sup> is amended as follows.

(2) In paragraph (1), for “Agency” substitute “ appropriate agency ”.

(3) In paragraph (5), for the definition of “the Agency” substitute—  
 ““the appropriate agency” means—

- (a) as regards England, the Environment Agency;
- (b) as regards Wales, the Natural Resources Body for Wales;
- (c) as regards Scotland, the Scottish Environment Protection Agency;”.

**Marginal Citations**

**M111** [S.I. 2011/1543](#) as amended by [S.I. 2012/2897](#).

**Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011**

**412.**—(1) In Schedule 1 to the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 <sup>M112</sup>, the Table is amended as follows.

(2) In the entry for the Environment Agency, in columns 2 and 3, omit “and/or Wales”.

(3) In column 1, for “The Countryside Council for Wales” substitute “ The Natural Resources Body for Wales ”.

(4) In the entry for the Forestry Commission, in columns 2 and 3, after “forests and woodlands” insert “ in England or Scotland ”.

(5) After the entry for the Forestry Commission insert a new entry—

“The Natural Resources Body for Wales	All proposed applications likely to affect the protection or expansion of forests and woodlands in Wales	All applications likely to affect the protection or expansion of forests and woodlands in Wales”.
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**Marginal Citations**

**M112** [S.I. 2011/2055](#) as amended by [S.I. 2012/635](#), [S.I. 2012/2654](#), [S.I. 2012/2732](#); modified by [S.I. 2012/1659](#).

**Incidental Flooding and Coastal Erosion (England) Order 2011**

**413.** The Incidental Flooding and Coastal Erosion (England) Order 2011 <sup>M113</sup> is amended as follows.

**Marginal Citations**

M113 S.I. 2011/2855.

**414.**—(1) Article 3 is amended as follows.

(2) In paragraph (2)—

(a) in sub-paragraph (b), for “reference in section 157(6)(a)” substitute “ references in section 157(6)(a) and (7)(a) ”;

(b) in sub-paragraph (c), after “to (e)” insert “ and (7)(c) ”.

(3) In paragraph (3), after “Environment Agency” insert “ or the Natural Resources Body for Wales ”.

**415.**—(1) Article 4 is amended as follows.

(2) In paragraph (1)—

(a) in sub-paragraph (a), after “Agency” insert “ or the NRBW ”;

(b) in sub-paragraph (c)—

(i) in the opening words, omit “the words “the Agency”;

(ii) in paragraph (i), at the beginning insert “ the words “the Agency or the NRBW” in ”;

(iii) after paragraph (i) insert—

“(ia) the words “the Agency or, as the case may be, by the NRBW” in section 154(2);”;

(iv) in paragraph (ii), for “where they appear” substitute “ the words “the Agency or the NRBW” ”;

(v) in paragraph (iii), for “the second and third places they appear” substitute “the words “the Agency or the NRBW” and “the Agency or, as the case may be, the NRBW””;

(c) after sub-paragraph (d) insert—

“(e) section 154(7) were omitted.”

(3) In paragraph (2)—

(a) in sub-paragraph (a), after “The Agency” insert “ and the NRBW ”;

(b) in sub-paragraph (b)—

(i) after “the Agency” insert “ or, as the case may be, the NRBW ”;

(ii) omit “and (6)”;

(c) after sub-paragraph (c) insert—

“(ca) the words “the local authority” were substituted for the words “the Agency” where they appear in section 157(6);”;

(d) after sub-paragraph (e) insert—

“(ea) section 157(7) were omitted;”.

**416.**—(1) Article 6 is amended as follows.

(2) In paragraph (1)—

(a) in sub-paragraph (a)—

(i) in the opening words, after “Agency” insert “ or by the NRBW ”;

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- (ii) in paragraph (ii), omit “first”;
  - (b) in sub-paragraph (b)—
    - (i) in the opening words, after “Agency” insert “ or the NRBW ”;
    - (ii) in paragraph (ii), for “the second place” substitute “ where ”.
  - (3) In paragraph (2)—
    - (a) in sub-paragraph (a), after “Agency” insert “ or by the NRBW ”;
    - (b) in sub-paragraph (b), after “Agency” insert “ or the NRBW ”;
    - (c) in sub-paragraph (d), after “171(2)(b)” insert “ and (6) ”.
  - (4) In paragraph (3)—
    - (a) in sub-paragraph (f)—
      - (i) after “Agency” insert “ or the NRBW ”;
      - (ii) omit “and 8”;
    - (b) after sub-paragraph (f) insert—
      - “(fa) the words “or a local authority” were substituted for “, the Agency or the NRBW” in paragraph 8(1);”.
- 417.** In article 8, for “Agency”, in each place where it occurs, substitute “ appropriate agency ”.

### Greenhouse Gas Emissions Trading Scheme Regulations 2012

**418.** The Greenhouse Gas Emissions Trading Scheme Regulations 2012 <sup>M114</sup> are amended as follows.

#### Marginal Citations

M114 S.I. 2012/3038.

- 419.**—(1) Regulation 3(1) is amended as follows.
- (2) In the appropriate place insert—
    - ““the NRBW” means the Natural Resources Body for Wales;
    - “the NRBW Order” means the Natural Resources Body for Wales (Establishment) Order 2012;”.
  - (3) In the definition of “regulator”, in sub-paragraph (a)—
    - (a) in paragraph (i) omit “and Wales”;
    - (b) after paragraph (i) insert—
      - “(ia) Wales, the NRBW;”.
- 420.**—(1) Regulation 20 is amended as follows.
- (2) In the definition of “area”—
    - (a) in sub-paragraph (a) omit “and Wales”;
    - (b) after sub-paragraph (a) insert—
      - “(aa) in respect of the NRBW, Wales;”.
  - (3) In the definition of “authority”, for sub-paragraph (a) substitute—
    - “(a) the Welsh Ministers, where P’s regulator is the NRBW;”.

**421.**—(1) Regulation 27 is amended as follows.

(2) In sub-paragraph (a)(i), omit “or Wales”.

(3) After sub-paragraph (a) insert—

“(aa) the NRBW, where P has its registered office in Wales.”

**422.**—(1) Regulation 45(5) is amended as follows.

(2) In sub-paragraph (a), omit “and Wales”.

(3) In sub-paragraph (b), after “in relation to” insert “ Wales, ”.

**423.** In regulations 52(4) and 73(3)(a), after “Environment Act 1995” insert “ , article 11 of the NRBW Order ”.

**424.** In regulation 86, after paragraph (1) insert—

(1A) he relevant provisions have effect as if—

(a) in regulation 2(1) the definition of “regulator” was amended as follows—

(i) in sub-paragraph (i) omit “and Wales”;

(ii) after sub-paragraph (i) insert—

“(ia) in relation to an installation (other than an offshore installation) which is (or will be) situated in Wales, the Natural Resources Body for Wales;”;

(b) regulation 35(5) was amended as follows—

(i) in sub-paragraph (a) omit “and Wales”; and

(ii) in sub-paragraph (b) after “in relation to” insert “ Wales, ”.

**425.** In regulation 87, after paragraph (1) insert—

“(1A) The relevant provisions have effect as if the 2010 Regulations were amended as follows—

(a) in regulation 4(1)—

(i) in sub-paragraph (a)(i) omit “or Wales”;

(ii) after sub-paragraph (a) insert—

“(aa) the Natural Resources Body for Wales, where the UK operator has its registered office in Wales;”;

(b) in regulation 7, for sub-paragraph (a) substitute—

“(a) the Welsh Ministers, where the regulator is the Natural Resources Body for Wales;”;

(c) in regulation 52(9)—

(i) for sub-paragraph (a) substitute—

“(a) in respect of an appeal against a notice or deemed refusal of the Environment Agency, the Secretary of State;”;

(ii) after sub-paragraph (a) insert—

“(aa) in respect of an appeal against a notice or deemed refusal of the Natural Resources Body for Wales, the Welsh Ministers;”;

(d) in regulation 60—

(i) in paragraph (5)(a) for “paragraph (5A)” substitute “ paragraphs (5A) to (5C) ”;

(ii) in paragraph (5)(g) after “and 9” insert “ , as modified by paragraph (7A) ”;

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(iii) for paragraph (5A) substitute—

“(5A) In regulation 2—

(a) in the definition of “area”—

(i) in sub-paragraph (a) omit “and Wales”

(ii) after sub-paragraph (a) insert—

“(aa) in respect of the Natural Resources Body for Wales, Wales;”;

(b) in the definition of “UK operator”, after “means” insert “ (subject to regulation 2A of the Aviation Greenhouse Gas Emissions Trading Scheme Regulations 2010) ”.”;

(iv) after paragraph (5A) insert—

“(5B) In regulation 4—

(a) in sub-paragraph (a)(i) omit “or Wales”;

(b) after sub-paragraph (a) insert—

“(aa) the Natural Resources Body for Wales, where the UK operator has its registered office in Wales;”.

(5C) In regulation 7, for sub-paragraph (a) substitute—

“(a) the Welsh Ministers, where the regulator is the Natural Resources Body for Wales;”.”;

(v) after paragraph (7) insert—

“(7A) In regulation 36(6)—

(a) for sub-paragraph (a) substitute—

“(a) in respect of an appeal against a notice or deemed refusal of the Environment Agency, the Secretary of State;”;

(b) after sub-paragraph (a) insert—

“(aa) in respect of an appeal against a notice or deemed refusal of the Natural Resources Body for Wales, the Welsh Ministers;”.”.

**426.** In Schedule 5, in paragraphs 3(2) and (11) and 6(8), after “Environment Act 1995,” insert “ article 11 of the NRBW Order ”.

**427.** In Schedule 10, in paragraph 1(1)(a)(ii), for “where A's registered office is in Wales” substitute “ where the NRBW is the regulator ”.



**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the The Natural Resources Body for Wales (Functions) Order 2013, SCHEDULE 4.