

Department for Environment, Planning and Countryside – Subordinate Legislation Forward Look – 28 September 2006

Unprogrammed Legislation

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|----|--|--|---|--|--|----------|
| 75 | COMMONS ACT 2006 (COMMENCEMENT NO.1) (WALES) ORDER 2007 | To commence sections 16-17 and various technical provisions of the 2006 Act. | Sets out the conditions and procedure relating to the exchange of land registered as commons or greens. | The Assembly has discretion over the timing of the introduction of most sections of the Act. The relevant provisions of the Act are planned to be implemented in England 2007. | SO24 Accelerated Category 3 | ECM |
| 76 | <i>PROTECTION OF CETACEANS (WALES) ORDER 2005</i> | <i>The application of technical measures to fishing nets to minimise the incidental capture of cetaceans</i> | <i>Reduction in Cetacean bycatch</i> | <i>This Order will be made under Section 30(2) of the Fisheries Act 1981. The</i> | SO24 Category 2 | ECM |

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|----|---|--|---|---|--|-----------------|
| | | <i>during fishing operations</i> | | <i>functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the EPC Minister.</i> | | |
| 77 | THE SHELLFISH (SPECIFIED SEA AREA) (PROHIBITION OF FISHING METHODS) (WALES) (NO2) ORDER 2005 | <i>To avoid potential infraction proceedings and to satisfy the European Commission who are looking to the UK authorities to take "all appropriate measures" to safeguard the food source of the Scoter Duck from damage resulting from dredging in Carmarthen Bay</i> | <i>To safeguard the food source for the Scoter Duck by prohibiting dredging in a specified sea area</i> | <i>This Order will be made under Section 5, 5a and 15(3) of the Sea Fish (Conservation) Act 1967</i> | SO24 Category 5 | ECM |
| 78 | THE SCALLOP FISHING (WALES) ORDER 2006 | To implement technical conservation measures in order to | These measures will help promote scallop conservation by | Order will be made under section sections | SO24 Accelerated | ECM |

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|--|----------------------|-----------------------------------|--|--|--|----------|
| | | help protect the scallop fishery. | supplementing the scallop licensing scheme, and should protect catch opportunities for future years. | 1,3,15(3) and 20(1) of the Sea Fish (Conservation) Act 1967. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the EPC Minister. This order will enable EC legislation to be effectively implemented in Welsh waters. It is enforced by the Marine Fisheries Agency to achieve consistency in the UK. | | |

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| 79 | THE SAUNDERSFOOT HARBOUR ORDER | The reconstitution of the Saundersfoot Harbour Commissioners | To enable the Commissioners to undertake the day to day management of the harbour. | Harbours Act 1964 | SO28 Standard | ECM |
| 80 | THE TAF, TYWI AND GWENDRAETH COCKLE FISHERY ORDER 2006 | To control fishing | To protect stocks through licensing | Sea Fisheries (Shellfish) Act 1967 section 1- Distinctive Welsh Legislation | SO28 Standard | ECM |
| 81 | SEA FISHING (ENFORCEMENT OF ANNUAL COMMUNITY AND THIRD COUNTRY FISHING MEASURES) (WALES) ORDER 2006 [Title changed from The Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (Wales) Order 2006 on 09/08/06] | <i>The management of fish quotas. This legislation provides enforcement powers of, and lays down penalties for, those provisions of Community Regulations which are outside the scope of Section 30(1) of the Fisheries Act 1981.</i> | <i>The Order relates to offences involving the retention on board and landing of fish. It also satisfies a requirement under the Fisheries Act to provide enforcement powers in relation to third country fishing vessels operating in British waters, and to lay down penalties for breach of the requirements included in EC rules.</i> | <i>Order will be made under section 30(2) of the Fisheries Act 1981. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the EPC Minister. This Order will enable EC</i> | SO24 Standard Category 2 | ECM |

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| | | | | <i>legislation to be effectively implemented in Welsh waters.</i> | | |
| 82 | NORTH WESTERN & NORTH WALES SEA FISHERIES COMMITTEE BYELAW 30 | Hobby Fishing | Will allow small bag limits for non-commercial fishing of crabs, lobsters, prawns and whelks | The byelaw will be made under section 5 of the Sea Fisheries Regulation Act 1966 | SO30 | ECM |
| 83 | SEA FISHING (ENFORCEMENT OF ANNUAL COMMUNITY AND THIRD COUNTRY FISHING MEASURES) (WALES) ORDER 2007 | The management of fish quotas. This legislation provides enforcement powers of, and lays down penalties for, those provisions of Community Regulations which are outside the scope of Section 30(1) of the Fisheries Act 1981. | The Order relates to offences involving the retention on board and landing of fish. It also satisfies a requirement under the Fisheries Act to provide enforcement powers in relation to third country fishing vessels operating in British waters, and to lay down penalties for breach of the requirements included | Order will be made under section 30(2) of the Fisheries Act 1981. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the EPC Minister. | SO24 Standard Category 2 | ECM |

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| | | | in EC rules. This Order will enable EC legislation to be effectively implemented in Welsh waters. | | | |
| 84 | <i>THE SEA FISHING (ENFORCEMENT OF COMMUNITY CONSERVATION MEASURES)(WALES)(AMENDMENT) ORDER</i> | <i>Measures to support EU technical conservation regulation 850/98.</i> | <i>Improved conservation of fishery resources through the enforcement of restrictions and obligations. Updates the references to Community legislation in existing Welsh legislation</i> | <i>Order will be made under section 30(2) of the Fisheries Act 1981. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the EPC Minister. This Order will enable EC legislation to be effectively implemented in Welsh waters. It</i> | <i>SO24 Standard Category 2</i> | <i>ECM</i> |

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| | | | | <i>is enforced by the Fisheries Inspectorate to achieve consistency in the UK.</i> | | |
| 85 | THE BASS FISHERIES (WALES) ORDER 2006 | To increase the number of larger bass around the coast of Wales. | To increase the size of bass, to increase the values of such landings, and to enable more fish to spawn. | This Order will be made under sections 1, 2, 3, 15 and 20 of the Sea Fish (Conservation) Act 1967. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the EPC Minister. | SO24 Accelerated Category 4 | ECM |
| 86 | BYELAW 5- PERMIT TO FISH FOR COCKLES | permit scheme for mussels | Establish a permit scheme for land based fishing for cockles and mussels | Section 5 and 7 of the Sea Fisheries Regulation Act | SO30 | ECM |

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|-----------|--|--|---|--|--|-----------------|
| | | | | 1966 | | |
| 87 | THE ANGLE SHELF MILFORD HAVEN MUSSEL FISHERY ORDER 2006 | Right of a several fishery for mussels | Cultivation of a mussel fishery | Section 1 of the Sea Fisheries Shellfish Act 1967 | SO28 | ECM |
| 88 | FARM WOODLAND PREMIUM SCHEME | To take account of any changes which emerge from the five year review | To provide levels of payment to reflect income forgone through separation of land for tree planting | Section 2 of the Farm Land and Rural Development Act 1988. The Scheme complies with Title VIII of Council Regulation (EEC) No. 2328/91. The scope for influencing policy is limited until the review is completed. | SO24 Standard | ECM |
| 89 | THE DISEASES OF FISH (AMENDMENT OF DEFINITION OF ("INFECTED") ORDER | This Order will add Koi Herpes Virus (KHV) to the list of notifiable diseases | This Order will make KHV subject to specific control measures, giving | The Diseases of Fish Act 1937 as amended by The Diseases of Fish | SO24 Category 3 | ECM |

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| | (WALES) 2007 | under the Disease of Fish Act 1937. | Wales better legislative management tools to control and eradicate the disease from Welsh Waters, should an outbreak occur. | Act 1983. The functions of the Secretary of State under the Act have been transferred to the Assembly and delegated to the EPC Minister. | | |
| 90 | AMENDING SI :THE AGRICULTURAL PROCESSING AND MARKETING GRANT (WALES) (AMENDMENT) REGULATIONS 2006 | Amendments to existing to existing Processing and Marketing Grant regulations | To ensure a new scheme can be introduced and delivered as part of the RDP 2007-2013 | The regulations comply with Council Regulation (EC) no 1698/2003 carried out under 2(2) of the European Communities Act 1972 | SO24 Accelerated | ECM |
| 91 | DAIRY PRODUCE QUOTA REGULATIONS (WALES) (AMENDMENT) 2007 | To update and rationalise the dairy produce quota regulations in | Introduces corrections to tessellate with EC regulations | All other UK administrations introducing parallel | CIF – 31/3/07 | CPD |

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| | | accordance with EC regulations | | regulations on the same day | SO24 Standard Category 2 | |
| 92 | <i>THE TIR MYNYDD (WALES) REGULATIONS 2006</i> | <i>Required to implement the successor Tir Mynydd scheme for 2007 and 2008</i> | <i>A consultation on two possible options for the shape of the revised scheme was undertaken between 11 January and 10 March 2006. The Minister announced his decision on 24 May 2006.</i> | <i>The industry in Wales, and the EPC Committee, have been consulted and are engaged in the process. Resolution of several issues relating to Commission regulations on modulation and finance is not expected until the autumn and this means the STAR approval of the RDPW is unlikely until early in</i> | SO24 Standard Category 5 | CPD |

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| | | | | 2007. | | |
| 93 | DRINKING MILK REGULATIONS | To amend regulations in line with EU | Deletion of article 4(d) of 2597/97 which laid down the fat-free dry matter content | To be confirmed | SO24 Standard | CPD |
| 94 | THE TRANSFER OF CONSENTS REGULATIONS | TO ENABLE THE TRANSFERS OF A DISCHARGE CONSENT FROM ONE HOLDER TO ANOTHER | TO OVERCOME PROBLEMS EXPERIENCED WITH THE CURRENT TRANSFER SYSTEM | JOINT REGULATIONS WITH DEFRA TO COVER WALES & ENGLAND | SO25 Section 3 Standard Category 7 | EPQ |
| 95 | <i>THE LOCAL ENFORCING AUTHOURITIES AIR POLLUTION FEES AND CHARGES SCHEME (WALES) 2007</i> | <i>Sets the levels and fees payable to local authority regulators in respect of their pollution control duties</i> | <i>Ensures regulators are adequately reimbursed for work undertaken for pollution control purposes, in line with the polluters pays principle.</i> | <i>Powers to make the fees and charges scheme under the Environmental Protection Act 1990 s devolved, but the level of fees and charges is subject to approval from the UK Treasury</i> | <i>CIF – 1/4/07</i> SO29 Category 1 | <i>EPQ</i> |

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| 96 | DROUGHT DIRECTION 1991 (AMENDMENTS) | BETTER MANAGEMENT OF WATER RESOURCES IN WALES. | INCREASE THE RANGE OF NON-ESSENTIAL WATER USES THAT SHOULD THE SITUATION ARISE, WATER COMPANIES COULD INCLUDE IN DROUGHT ORDER APPLICATIONS TO THE ASSEMBLY. | SECTION 74(2)(6), 2ATER RESOURCES ACT 1991 DEVOLVED IN RELATION TO WALES. | SO 25, SECTION 3 | EPQ |
| 97 | <i>THE LOCAL AUTHORITY PERMITS FOR PART B INSTALLATIONS AND MOBILE PLANT (WALES) FEES AND CHARGES SCHEME 2007</i> | <i>Sets the levels and fees payable to local authority regulators in respect of their pollution control duties</i> | <i>Ensures regulators are adequately reimbursed for work undertaken for pollution control purposes, in line with the polluters pays principle.</i> | <i>Power to set the level of Fees and Charges under the Pollution Prevention and control Regulations 2000 is devolved.</i> | <i>CIF - 1/4/07 SO29 Category 1</i> | <i>EPQ</i> |
| 98 | WATER RESOURCES (REVOCATION OF SEVERN RIVER AUTHORITY EXCEPTION FROM CONTROL ORDER 1967) ORDER | BETTER MANAGEMENT OF WATER RESOURCES IN WALES | REMOVE WATER ABSTRACTION LICENCE EXEMPT STATUS IN THE AREA SPECIFIED IN THE 1967 ORDER | SECTION 10 WATER ACT 2003. IN RELATION TO THE REVOCATION | SO25, SECTION 3 | EPQ |

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|----|--|---|--|--|--|-----------------|
| | | | | OF AN EXCEPTION ORDER WHICH RELATES TO UNDERGROUND STRATA PARTLY IN ENGLAND/PARTLY IN WALES, THE SOS IN RESPECT OF THE ENGLISH PART, THE ASSEMBLY IN RELATION TO THE WELSH PART. | | |
| 99 | LLWYNGWRIL WASTE WATER TREATMENT WORKS AND PUMPING STATION COMPULSORY PURCHASE ORDER 2006 | Confirmation of a draft Compulsory Purchase Order submitted by Dwr Cymru for a package of land in Llwyngwril, Gwynedd. | Will enable Dwr Cymru to construct a new waste water treatment works and pumping station at Llwyngwril and ensure compliance with European and UK | Assembly has the power to confirm draft compulsory purchase orders submitted by water/sewerage undertakers | SO 30 Category 5 | EPQ |

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| | | | legislation. There have been no objections to the draft Order. | operating in Wales. Where a draft Order is submitted in respect of land within the catchment areas of the rivers Dee, Wye or Severn, the power is exercisable concurrently with Defra. | | |
| 100 | WATER RESOURCES FURTHER EXEMPTION REGULATIONS | IMPLEMENTS PROVISIONS OF THE WATER ACT 2003 | PROVIDES FOR FURTHER EXEMPTIONS FROM THE ABSTRACTION LICENSING SYSTEM | ENGLAND AND WALES REGULATIONS (JOINTLY WITH DEFRA) | SO25 Section 3 Category 7 | EPQ |
| 101 | STOP,SEARCH AND SEIZURE OF VEHICLES REGULATIONS | To provide cross border consistency in the handling of transport of waste | To prevent flytipping | To provide cross border consistency in the handling of transport of waste | Category 3 | EPQ |

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| 102 | MUNICIPAL WASTE MANAGEMENT REGULATIONS | <i>The proposed Regulations will implement Sections 29 and 30 of the Waste and Emissions Trading Act 2003 (WET ACT) and will require the preparation of municipal waste management strategies and to require the submission of municipal waste data in a prescribed format.</i> | <i>The Regulations will require local authorities to prepare municipal waste management strategies and to use Wastedataflow to submit municipal waste data..</i> | <i>There is scope for distinctive welsh policy. Section 29 and 30 of the WET Act are Wales only clauses. The EPC Committee have identified this particular item for scrutiny at a later date.</i> | SO24 | EPQ |
| 103 | SURFACE WATERS (FISHLIFE) (CLASSIFICATION) (AMENDMENT) REGULATIONS | Amend existing regulations following adoption of updated EC Directive | Designation of Freshwaters in Order to Support Fish Life | England and Wales. Limited scope to influence as implementing EC requirements | Category 2 | EPQ |
| 104 | THE WASTE MANAGEMENT LICENSING EXEMPTIONS (AMENDMENT AND | Implement the remaining aspects of the Hazardous Waste Directive not yet | To implement remaining aspects of the Hazardous Waste Directive and provide | See category | SO25 Section 3 Standard Category 2 | EPQ |

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| | RELATED PROVISIONS) (ENGLAND AND WALES) REGULATIONS 2005 | transposed in the UK as notified by the Commission | licensing exemptions under the Hazardous Waste Regulations | | | |
| 105 | WATER INDUSTRY (WATER QUALITY IN PUBLIC BUILDINGS) | To prescribe standards of wholesomeness of water supplied in public buildings | Set in place a regulatory regime for monitoring the quality of water supplied at taps in premises such as schools and hospitals. | Transposition of Drinking Water Directive (98/83/EC). Assembly has S2(2) Designation to make Regulations. Very limited room for manoeuvre | SO25 Section 3 Accelerated Category 2 | EPQ |
| 106 | PROTECTION OF WATER AGAINST AGRICULTURAL NITRATE POLLUTION - WALES REGULATIONS | Implementation of EC Nitrates Directive | Amend Coverage of Nitrates Vulnerable Zones | See category | SO24 Standard Category 2 | EPQ |
| 107 | THE WATER SUPPLY (WATER QUALITY) (AMENDMENT) REGULATIONS 2007 | Revise public drinking water controls relating to monitoring, risk assessment, and notification | Regulations will affect suppliers of public drinking water supplies | DEVOLVED IN RELATION TO AREAS OF SUPPLY OF WATER UNDERTAKERS | SO25 Section 3 Category 2 | EPQ |

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|-----|--|--|--|---|--|-----------------|
| | | arrangements | | OPERATING WHOLLY OR MAINLY IN WALES | | |
| 108 | WATER INDUSTRY (INSET APPOINTMENTS) REGULATIONS | Reduce large volume users threshold for Water Industry inset appointments | Encourage competition in the water industry - potential reduction in charges for large business users. | Sections 7 & 158 , Water Industry Act 1991, Devolved in relation to water companies operating wholly or mainly in Wales. Cross-border issues - regulations will be subject to Parliamentary procedure (SO 23) | SO25 Section 1 Accelerated Category 3 | EPQ |
| 109 | GUIDANCE TO DIRECTOR GENERAL OF WATER SERVICES ON APPROVAL OF CHARGING SCHEMES | Guidance, which the Director General of Water Services must take into account when approving water company charging, | Ensure that the water charging framework provides for fairness and affordability, stability and predictability, takes account of | Section 143, Water Industry Act 1991. Devolved in relation to water undertakers | SO29 Accelerated Category 5 | EPQ |

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|-----|---|--|--|--|--|-----------------|
| | | schemes. | environmental considerations and is customer orientated. | operating wholly or mainly in Wales. Cross-border issues | | |
| 110 | WATER RESOURCES (REVOCAION OF EXEMPT AREA STATUS) (WALES) ORDER | BETTER MANAGEMENT OF WATER RESOURCES IN WALES | REMOVE WATER ABSTRACTION LICENCE EXEMPT AREA STATUS IN SEVERAL AREAS ACROSS WALES | SECTION 10, WATER ACT 2003 DEVOLVED IN REGULATION TO EXCEPTION ORDERS THAT RELATE TO INLAND WATERS AND UNDERGROUND STRATA WHOLLY IN WALES | SO24 | EPQ |
| 111 | THE REMIDIATION OF RADIOACTIVE CONTAMINATED LAND FORM NUCLEAR INSTALLATIONS REGULATIONS WALES 2006 | To apply the radioactive contaminated land regulations to that arising from nuclear sites | To provide for a regime for the remediation of radioactively contaminated land arising from nuclear sites | To provide for a regime for the remediation of radioactively contaminated land arising from nuclear sites | SO24 Category 2 | EPQ |

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| 112 | TRANSPORT AND WORKS ACT ENGLAND AND WALES, THE ENVIRONMENT AGENCY (INLAND WATERWAYS ORDER) | AMEND PREVIOUS LEGISLATION | REGISTRATION AND PRESCRIBED LEVELS OF SAFETY ON THE RIVER WYE | ENGLAND & WALES | SO26 Category 6 | EPQ |
| 113 | SITE WASTE MANAGEMENT PLANS REGULATIONS | To introduce site waste management plans for the construction industry in Wales | See purpose | See category | Category 3 | EPQ |
| 114 | THE PRIVATE WATER SUPPLIES AND PRIVATE DISTRIBUTION SYSTEMS (WALES) REGULATIONS 2006 | To prescribe standards of wholesomeness and to set frequencies for the sampling and analysis of private water supplies in Wales | Set in place a regulatory regime which provides an added measure of protection to people consuming water from private water supplies. | Transposition of Drinking Water Directive (98/83/EC). Assembly has S2 (2) Designation to make Regulations. Very limited room for manoeuvre | SO24 Standard Category 2 | EPQ |
| 115 | THE ENVIRONMENTAL LIABILITY DIRECTIVE | To provide a consistent umbrella approach to current | | | Tbc | EPQ |

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| | | environmental legislation | | | | |
| 116 | <i>THE CONTROL OF POLLUTION (SILAGE, SLURRY AND AGRICULTURAL FUEL OIL) REGULATIONS</i> | <i>Replacement of regulations made in 1991 to satisfy the requirements of the EC Technical Standards Directive 98/34/EC</i> | <i>The original regulations were made without notification to the EC. The revision will correct this.</i> | <i>Joint regulations with DEFRA to cover England and Wales. Primary power - sections 92 and 219(2) of the Water Resources Act 1991</i> | <i>SO25 Section 3 Standard Category 7</i> | <i>EPQ</i> |
| 117 | THE SLUDGE (USE IN AGRICULTURE) (AMENDMENT) (ENGLAND & WALES) REGULATIONS | Amendments to regulations made in 1989 which transposed EC Directive 86/278/EEC. | To incorporate into statute existing voluntary controls being followed by the water industry on the agricultural use of sewage sludge. | Joint regulations with Defra to cover England and Wales. Limited scope to influence as implementing EA requirements. | SO25 Section 3 Standard Category 2 | EPQ |
| 118 | THE LOCAL AUTHORITY PERMITS FOR PART A2 INSTALLATIONS AND MOBILE PLANT (WALES) | Sets the levels and fees payable to local authority regulators in respect of their | Ensures regulators are adequately reimbursed for work undertaken for pollution control | Power to set the level of Fees and Charges under the Pollution | CIF – 1/4/07 SO29 | EPQ |

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|-----|---|---|---|--|--|------------|
| | FEES AND CHARGES SCHEME 2007 | pollution control duties | purposes, in line with the polluters pays principle. | Prevention and control Regulations 2000 is devolved. | Category 1 | |
| 119 | WATER RESOURCES TRANSITIONAL REGULATIONS | Implement Provision of Water Act 2003 | End Exemptions for Licensing for Quarries, Irrigation and Canals | England and Wales | SO25 Section 3 Category 7 | EPQ |
| 120 | The Emissions Trading Scheme (Wales) Directions 2006 | Directions to the Environment Agency | Directions to the Environment Agency to close the loophole in the issue of permits prior to the agreement of the Phase II NAP by the Commission. | The Assembly can issue directions to the Environment Agency in Wales regarding the issue of permits to operators in the scheme under the Greenhouse Gas Emissions Trading Scheme Regulations 2005 | SO29 Category 3 | EPQ |

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| 121 | HOME LOSS PAYMENTS (PRESCRIBED AMOUNTS) (WALES) REGULATIONS 2007 | These proposed Regulations will increase the maximum and minimum Home Loss Payments from their current levels £40,000 and £4,000 and increase the flat rate payment from £ £4,000 by a figure set by the change in House Prices and which will be determined in May 2007. The proposed new Regulations will become operative on the 1st September 2007 | The powers enabling the making of this instrument are contained in section 30(5) of the Land Compensation Act 1973(as amended Home Loss payments are statutory compensation paid by acquiring authorities and other organisations who possess powers of compulsory purchase. They are paid to qualifying owner- occupiers and tenants of dwellings displaced by compulsory purchase or public redevelopment. It is to compensate them for the distress and inconvenience of | | SO24 Accelerated | ESTATES |

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|-----|--|--|---|--|--|-----------------|
| | | | <p>having to move home at a time not of their choosing. They are paid to owner-occupiers at a rate of 10% of the market value of their dwelling (currently subject to a maximum and minimum payment.)</p> <p>Tenants receive a flat-rate payment equal to the minimum. The proposed Regulations will effect an incremental uplift in these specific Payments.</p> | | | |
| 122 | PLANT HEALTH (AMENDMENT) (WALES) ORDER 2007 | To introduce an amendment to the Plant Health (Wales) Order 2006 | To further strengthen statutory controls for the prevention of introduction and spread of plant pests and diseases within Wales. | Implements EU obligation there is limited scope for Wales only policy. | | FMD |

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| 123 | SI INTRODUCING REVISED MEASURES FOR THE CONTROL OF RING ROT - TITLE NOT YET KNOWN | Introducing revised measures for the control of Ring Rot. | To further strengthen statutory controls for the prevention of introduction and spread of Ring Rot within Wales. | Implements EU obligation there is limited scope for Wales only policy. | | FMD |
| 124 | THE PLANT PROTECTION PRODUCTS (AMENDMENT) REGULATIONS 2007 | The Regulations reflect the EU programme to evaluate the active substances used in plant protection products and to list those considered acceptable onto Annex 1 of the framework directive. | The Regulations will implement several new EU directives. | The Plant Protection Regs 1995 were made under section 2(2) of the European Community Act 1972. The Assembly has a joint power under section 2(2) of the ECA 1972 for the purposes of implementing community obligations in respect of plant protection | SO25 Section 3 Standard Category 2 | FMD |

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| | | | | products. | | |
| 125 | THE CONTROL OF PESTICIDES (AMENDMENT) REGULATIONS 2007 | To introduce new provisions on record keeping, disclosure and local authority enforcement of pesticides. | This SI will introduce a more stringent regime for the keeping of records on the possession and use of pesticides. | This SI will introduce an EU Regulation, therefore there is limited scope for interpretation. | SO25 Section 3 Accelerated Category 2 | FMD |
| 126 | THE GEOGRAPHICAL INDICATIONS, DESIGNATIONS OF ORIGIN AND CERTIFICATE OF SPECIFIC CHARACTER | To implement EU decisions on the protection of Welsh food products | . Not definite if this will require an SI. Awaiting further information | Not definite if this will require an SI. Awaiting further information | Standard | FMD |
| 127 | THE EGGS & POULTRY MARKETING STANDARDS ENFORCEMENT REGULATIONS (WALES) 2004 | These regulations further amend the Eggs (marketing standards) regulations 1995 | Establishes an enforcement regime for the marketing standards for poultry and to consolidate marketing standards regulations for table eggs, hatching eggs and poultry chicks. | EU wide with no discretion for distinctive Welsh policy. Will amend the Eggs (marketing standards) amendment regulations 1998. Regs will be introduced under | Standard | FMD |

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| | | | | the European Communities Act 1972 Section 2 (2). | | |
| 128 | THE PESTICIDES (MAXIMUM RESIDUE LEVELS) (AMENDMENT) REGULATIONS 2007 | The Regulations reflect the EU programme to determine the maximum residue levels of pesticides permissible on crops, food, and feedingstuffs consumed within the community. | The Regulations implement directive 2006/62/EC and possibly further directives issued by the Commission. | These Regulations are being made under section 2(2) of the European Communities Act 1972. The Assembly is designated for the purposes of section 2(2) in relation to the common agricultural policy of the European Community. Schedule 2(2)(a)(ii) of the Designation | SO25 Section 3 Standard Category 2 | FMD |

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| | | | | Order (SI 1999/2788) provides that regulations are made by the National Assembly. There is no scope for a distinctive Welsh policy. | | |
| 129 | THE AI OF CATTLE (ANIMAL HEALTH) (WALES) (AMENDMENT) REGS 2005 | To reflect the additional health testing. Requirements of EU Regs 2003/43 | Maintenance of Animal Health | No scope for separate Welsh Policy as we are required to reflect EU health requirements | SO24 Accelerated Category 2 | OCVO |
| 130 | <i>THE WELFARE OF GREYHOUNDS</i> | <i>To introduce standards for stadii used for racing greyhounds, to introduce microchipping of animals and to ensure a veterinary presence at race tracks</i> | <i>It will raise standards of greyhound tracks, ensure that greyhounds can be identified and that the highest standards of welfare of animals are not compromised at racetracks</i> | <i>Will cover all greyhound tracks in Wales and intends to cover all animals raced in Wales</i> | <i>Category 4</i> | OCVO |

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| 131 | TSE (WALES) (AMENDMENT) REGULATIONS 2006 | Commission decision 2003/100/EC lays down minimum requirements for the establishment of breeding programmes for resistance to TSEs in sheep. The decision requires that participation in the breeding programme shall become compulsory for all flocks of high genetic merit | To introduce a compulsory genotyping programme for rams of high genetic merit | Any scope for local variation would have to operate in accordance with the criteria set out in the EC Regulation. The SI will be made using powers under 2(2) of the EU Communities Act 1972 | SO24 Standard Category 2 | OCVO |
| 132 | THE ANIMAL HEALTH ACT (AMENDMENT) REGS 2006 | To implement Directive 2005/94EC | To provide a duty to slaughter | No scope for distinct Welsh Policy | SO25 Section 1 Category 2 | OCVO |
| 133 | <i>INFECTIOUS DISEASES OF HORSES ORDER</i> | <i>The purpose of the new Infectious Diseases of Horses</i> | <i>Provide controls against the spread of notifiable exotic diseases To</i> | <i>Remake the Infectious Diseases of</i> | <i>SO24 Category 2</i> | OCVO |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|--|----------------------|--|---|---|--|----------|
| | | <p><i>Order is to extend the list of diseases to take account of certain new and emerging diseases. This will provide the Assembly with the powers to control the spread of diseases detailed in the draft contingency plan for Specified Type Equine Exotic Diseases (STEED).</i></p> | <p><i>extend the list of diseases To incorporate lessons learned during previous disease outbreaks. To set out a mechanism for paying compensation.</i></p> | <p><i>Horses Order 1987 to provide sufficient legislative powers to control the following diseases: Borna Disease, Contagious Equine metritis, Dourine, Eastern Equine Encephalitis, Epizootic Lymphangitis, Equine Infectious Anaemia, Glanders, Hendra Disease, Japanese Equine Encephalitis, Murray Valley Encephalitis, St. Louis, Venezuelan</i></p> | | |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|--|----------------------|---------|--------|--|--|----------|
| | | | | <p><i>Equine Encephalitis, Western Equine Encephalitis, West Nile Fever. To consider the merits of including African Horse Sickness and Equine Viral Arteritis within any new Order and To prepare a mechanism whereby compensation may be paid to owners of possibly compulsorily slaughtered equines under the Animal Health Act 1981.</i></p> | | |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|--|---|--|---|--|----------|
| 134 | THE ANIMALS (THIRD COUNTRY IMPORTS) (CHARGES) REGULATIONS 2004 | Charges for the importation of animals in accordance with the Animals and Animal Products (Imports and Export) (England and Wales) 2000 Regulations into Wales from outside the EU | Any person who imports animals into Wales from outside the EU in accordance with the Animals and Animal Products (Imports and Export) (England and Wales) 2000 Reg. shall pay the Secretary of State a charge for the Veterinary and health inspection carried out under those regulations | Legislation is being actioned jointly with Scotland and DEFRA – limited scope for a distinctive Welsh Legislation | Category 2 | OCVO |
| 135 | BOVINE AND BOVINE PRODUCTS (WALES)(AMENDMENT) REGULATIONS 2006 | To introduce legislation to permit the export of beef and live cattle from Wales | To permit the export of beef and live cattle in accordance with EC Legislation | Limited - EC Legislation will set out the conditions under which the export ban can be lifted | Tbc | OCVO |
| 136 | THE ANIMALS AND ANIMAL PRODUCTS (IMPORT AND EXPORT) (WALES) (AMENDMENT) REGULATIONS 2006 | To give effect to the extension on the captive bird ban and make minor corrections to principal regulations | Amends principal regulations and extends ban to 31 December 2006. | No scope for distinct Welsh Policy | Tbc | OCVO |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|---|---|---|--|--|-----------------|
| 137 | SALMONELLA IN TURKEYS (SURVEY POWERS) (WALES) REGULATIONS 2006 | To ensure that Wales complies with Zoonoses Directive 2003/99/EC | Provides powers to carry out the survey. | Reference to this proposed legislation is included as a precaution. A policy decision on whether to implement has yet to be made. EU Decision will require that we begin a 12-month survey on 1 October 2006 on the prevalence of Salmonella in turkeys. The Decisions when published will relate to Zoonoses | Tbc | OCVO |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|--|----------------------|---------|--------|---|--|----------|
| | | | | <p>Regulation 2160/2003. The intention was to enforce both these surveys with an overarching Statutory Instrument, The Zoonoses (Monitoring) (Wales) Regulations 2007 ("The Monitoring SI"). This SI (as drafted provides powers of entry and sampling for all zoonoses and zoonotic agents in all animals and their environment.</p> | | |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|--|--|--|---|--|-----------------|
| | | | | However due to delays in agreeing the scope of the SI it has only recently been put out to consultation and is unlikely to come into force until March 2007 | | |
| 138 | SALMONELLA IN PIGS (SURVEY POWERS) (WALES) REGULATIONS 2006 | To ensure that Wales complies with Zoonoses Directive 2003/99/EC | Provides powers to carry out the survey. | Reference to this proposed legislation is included as a precaution. A policy decision on whether to implement has yet to be made. EU Decision will require that we begin a 12-month survey on 1 October | Tbc | OCVO |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|--|----------------------|---------|--------|--|--|----------|
| | | | | <p>2006 on the prevalence of Salmonella in slaughter pigs. The Decisions when published will relate to Zoonoses Regulation 2160/2003. The intention was to enforce both these surveys with an overarching Statutory Instrument, The Zoonoses (Monitoring) (Wales) Regulations 2007 ("The Monitoring SI"). This SI (as drafted provides</p> | | |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|--|--|--|--|--|----------|
| | | | | <p>powers of entry and sampling for all zoonoses and zoonotic agents in all animals and their environment. However due to delays in agreeing the scope of the SI it has only recently been put out to consultation and is unlikely to come into force until March 2007</p> | | |
| 139 | OFFICIAL FEED AND FOOD CONTROLS (WALES) (NO.2) REGS 2006 | To give effect to the Official Feed and Food Controls (EC Regulation 882/2004) | It will help to harmonise all animal health and Welsh official controls across Europe thereby giving effect to the European Regulation | It will affect all animal health and welfare legislation that give rise to official controls on farm production | Accelerated Category 2 | OCVO |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|--|--|--|---|--|----------|
| | | | 882/2004 in Wales | of food | | |
| 140 | BOVINE SEMEN FEES (WALES) REGS 2006 | To revise the fees and the elements requiring inspection | Maintain Animal Health | No scope for separate Welsh Policy as charges reflect costs of services provided by SVS | SO24 Category 2 | OCVO |
| 141 | PRODUCTS OF ANIMAL ORIGIN (THIRD COUNTRY IMPORTS)(WALES)(AMENDMENT) ORDER 2006 | Amendments to domestic legislation to improve veterinary checks on imports of POAO from third countries and bring other aspects of national legislation in line with community law | New regulations revoke and remark with amendments the 2004 regulations and introduce amendments to give effect to recent changes to EU import requirements | Legislation is being actioned jointly with Scotland and Defra - limited scope for distinctive Welsh legislation | SO24 Standard Category 7 | OCVO |
| 142 | THE ANIMALS GATHERINGS (WALES) ORDER 2006 | To permit autumn breeding sales to take place on | To allow gatherings to take place on unpaved areas of a licensed | Limited Welsh scope due to the nature of Animal | Tbc | OCVO |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|--|---|--|---|--|----------|
| | | unpaved areas of a licence premises | premises. To clarify duties of the licensee and persons attending animal gatherings i.e. to provide and maintain adequate cleansing and disinfectant and to clarify biosecurity requirements | breeding sales | | |
| 143 | THE RABIES (IMPORTATION OF DOGS, CATS AND OTHER MAMMALS) (AMENDMENT) (WALES) ORDER | Possible requirement to add special rules for the control of echinococcosis and ticks as part of the PETS Travel Scheme | Maintenance of Public Health | Limited scope for separate Welsh policy - i.e. decide to apply derogations available in Community legislation or not, subject to DEFRA agreement as the power to make the order is joint. | SO24 Standard Category 2 | OCVO |
| 144 | TSE (AMENDMENT) (WALES) REGULATIONS - DEER TESTING | To enforce the new EU Regulation (which will replace 999/2001) | A consolidation, with changes to some areas (eg compulsory | No scope for specified Welsh legislation | Category 2 | OCVO |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|---|---|---|--|--|-----------------|
| | | when it is adopted this Autumn | breeding programmes) of TSE legislation | | | |
| 145 | THE WELFARE OF ANIMALS (STAGING POINTS) (WALES) ORDER 2005 | The new Order updates enforcement powers in respect of the new rules under Council Regulation (EC) No. 1040/2003 which amended Council Regulation (EC) No. 1255/97 as regards the use of staging points | The new Order will - require that both the premises and the operator of the premises used as a staging point require approval; - improve scope for powers to issue notices to protect the health and welfare of animals on a staging point; - provide an appeal mechanism for refusal to issue, suspend or revoke an approval | It is being actioned jointly with Defra – limited scope for distinctive policy | Standard Category 2 | OCVO |
| 146 | WELFARE OF ANIMALS (SLAUGHTER AND KILLING) REGULATIONS 2006 | Bring WASK legislation into line with existing English, Scottish and N Irish legislation | Introduction of 6 minor technical amendments | WASK legislation in Wales | SO24 Standard Category 2 | OCVO |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|--|---|---|---|--|-----------------|
| 147 | THE POULTRY BREEDING FLOCKS, HATCHERIES AND ANIMAL BY-PRODUCTS (FEES) (WALES) ORDER 2003 | Sets out revised fees for the recovery of full costs on activities relating to the collection, taking and analysis of samples | The Order revokes and replaces the Poultry Breeding Flocks, Hatcheries and Processed Animal Protein (Fees) Order 1993. | The Order needs to be made jointly by the Assembly and DEFRA subject to the consent of Treasury | SO24 Standard Category 2 | OCVO |
| 148 | ELECTRONIC IDENTIFICATION OF SHEEP AND GOATS | To give effect to the requirements of EC Regulation 21/2004 | Further improve traceability in order to facilitate disease prevention and control | 21/2004 introduces an obligation on MS who meet the requirements of the regulations to electronically identify (tag or bolus) sheep and goats | Category 2 | OCVO |
| 149 | THE REVISION OF THE DISEASE OF ANIMALS (APPROVED DISINFECTANT) ORDER 1978 | Proposals for a fundamental review of the procedure for approving disinfectants for purposes of the Animal Health Act 1981 | Up to date list of disinfectant. Transparent and effective legislative framework. More efficient system for granting/removing approval, ensure we | Legislation is being actioned jointly with Scotland and DEFRA -limited scope for distinctive policy | SO24 Standard Category 3 | OCVO |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|---------------------------------------|---|--|---|--|-----------------|
| | | | meet relevant national and/or EU obligations relating to environment and health safety. | | | |
| 150 | <i>CODE OF PRACTICE ON DOGS</i> | <i>To draw up a code of practice on best animal welfare practice for looking after dogs</i> | <i>Will raise the standards of dog welfare.</i> | <i>Will cover all domestic dogs</i> | <i>Category 4</i> | OCVO |
| 151 | MONKEY POX AND EBOLA VIRUS NOTIFIABLE | To make these diseases notifiable rather than reportable | Transpose into domestic legislation the EU commission Regulations (EC) No 1398/2003 of 5 August 2003 amending Annex A to council Directive 92/65/EEC making Ebola virus and monkey pox notifiable diseases | Legislation is being actioned jointly with Scotland and DEFRA – limited scope for a distinctive Welsh Legislation | SO25 Section 1 Standard Category 2 | OCVO |
| 152 | BROILER CHICKEN DIRECTIVE | To give effect to new EU-wide welfare standards | Will probably have limited impact on UK industry but likely to introduce modest improvements to broiler chicken welfare. | None. Intended to provide an EU wide level playing field | Category 2 | OCVO |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|--|--|--|---|--|-----------------|
| 153 | CODE OF PRACTICE ON GREYHOUNDS | To explain the standards that will be required at Greyhound tracks, microchipping and best practice | To describe best practice on tracks and for greyhound welfare | Will cover all Greyhound tracks in Wales and animals in Wales | Category 4 | OCVO |
| 154 | COMMENCEMENT PROVISIONS TO THE ANIMAL WELFARE ACT 2006 | To implement the main provisions of the Animal Welfare Bill when it receives Royal Assent | Will introduce animal welfare for companion animals and animals in captivity similar to existing standards on farm animals and extend the scope of laws relating to animal fighting and cruelty. | To implement the main provisions of the Animal Welfare Bill when it receives Royal Assent | Category 4 | OCVO |
| 155 | CODE OF PRACTICE ON CATS | To draw up a code of practice on best animal welfare practice for looking after cats | Will raise the standards of cat welfare | Will cover all domestic cats | Category 4 | OCVO |
| 156 | CODE OF PRACTICE ON PRIMATES | To draw up a detailed code of practice for keepers to be aware of best practice in looking after primates. | Will raise the standards of primate care. | Will cover all primates | Category 4 | OCVO |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|--|---|---|--|--|-----------------|
| 157 | THE EQUINE INFECTIONS ANAEMIA (COMPENASTION) ORDER 2006 | To set a de minimus payment of £1 for horses slaughtered on confirmation of having the disease Equine Infectious Anaemia | New Order to be made in the even of an outbreak of EIA in Wales | Limited scope as legislation being actioned by all Devolved Administrations | Tbc | OCVO |
| 158 | A AND B POULTRY ORDER | To set up zones in and AI outbreak | Transpose EU decision to set up zones for AI outbreak | No scope for distinctive Welsh legislation | Tbc | OCVO |
| 159 | THE SALMONELLA IN BROILER FLOCKS (SURVEY POWERS)(WALES) REGS 2006 | To provide the necessary powers of entry to premises and related powers for the purpose of carrying out a survey to ascertain levels of zoonotic salmonella within broiler flocks | Monitor and report trends and sources of this zoonotic infection | None. Straightforward implementation of European legislation (EC Regulation 2160/2003 and Directive 2003/99/EC | Tbc | OCVO |
| 160 | THE H5N1 IN POULTRY ORDER | To give effect to Commission Decision 2006/415/ EC concerning | In essence the order will provide, following a suspected or confirmed outbreak of | No scope for distinct Welsh policy. | Tbc | OCVO |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|--|--|---|---|--|----------|
| | | certain protection measures in relation to highly pathogenic avian influenza of the subtype H5 N1 in poultry and repealing Decision 2006/135/EC. | avian influenza H5N1, for the establishment of two zones, A and B. The A area will be the high risk area consisting of the protection and surveillance zones which will be established and area B will be the low risk area which will separate area A from the disease free part of the affected Member State. | | | |
| 161 | The Avian Influenza(H5N1 in Wild Birds) (Wales) Order 2006 | To set up zones around infected wild birds | Will help stop spread of disease | No scope for distinct Welsh Policy | Tbc | OCVO |
| 162 | THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)(AMENDMENT NO ?) (WALES) ORDER 2006 | To grant planning permission for certain development necessary to house poultry/birds to protect them from Avian | A de-regulatory measure which impacts on land owners and local planning authorities | Devolved secondary legislation under Sections 59, 60 and 333(1) of the Town and | Category 3 | PLANNING |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|---|--|--|---|--|-----------------|
| | | influenza | | Country Planning Act 1990 | | |
| 163 | <i>VILLAGE GREEN REGULATIONS</i> | <i>To provide definition of village green and prescribe periods within which application may be made for registration as village green</i> | <i>Landowners, local authorities, and members of the public could be affected - registration as a village green provides restrictions as to what uses land may be put.</i> | <i>Power is devolved, but need for regulations accepted in making of Countryside and Rights of Way Act 2000. The EPC Committee have identified this particular item for scrutiny at a later date.</i> | <i>SO27 Category 6</i> | <i>PLANNING</i> |
| 164 | <i>TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (WALES) (AMENDMENT) REGULATIONS 2007</i> | <i>To apply the need for EIA to "stalled" mineral review applications submitted before Regulations came into force on 15/11/2000</i> | <i>To apply the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended) to mineral review (ROMP) applications made and</i> | <i>Devolved - to extend to all mineral review applications submitted before 15/11/200 and remain undetermined</i> | <i>EPC – 30/11/06 SO24 Standard Category 5</i> | <i>PLANNING</i> |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|-----|---|--|---|---|--|-----------------|
| | | | <i>not determined before 15 November 2000 where the applicant has failed to supply environment information (within 6 months of the coming into force of the proposed legislation)</i> | <i>because requested environmental information has not been supplied</i> | | |
| 165 | THE PLANNING (CONTROL OF MAJOR ACCIDENT HAZARDS) (WALES) REGULATIONS 2005 | Transposing Regulations for Wales - Changes to Hazardous Substances System of Controls (Land Use Planning) | Changes to Planning (Hazardous Substances) Regulations 1992 and to Development Plan Regulations | Technical changes (as set in amended Directive) to 1992 Regulations together with minor changes to Development Plan Regulations | SO24 Category 2 | PLANNING |
| 166 | <i>THE ENVIRONMENTAL IMPACT ASSESSMENT AND HABITATS (EXTRACTION OF MINERALS BY MARINE DREDGING) REGULATIONS (WALES)</i> | <i>To transpose the relevant European Directives for marine dredging in Welsh waters</i> | <i>To introduce statutory procedures for the control of marine aggregates dredging including the requirement for EIA and appropriate assessment under the Habitats</i> | <i>Wales to draft its own regulations by Spring 2007</i> | <i>Standard Category 2</i> | <i>PLANNING</i> |

| | Title of Legislation | Purpose | Effect | Scope | Key Dates/ Anticipated Standing Order/ Category | Division |
|--|-----------------------------|----------------|------------------|--------------|--|-----------------|
| | | | <i>Directive</i> | | | |