

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref MA/JJ/3015/23

All Members of the Senedd
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14 February 2024

Dear Member of the Senedd,

Infrastructure (Wales) Bill - Government Amendments

I am enclosing detail of the Government amendments tabled to the Infrastructure (Wales) Bill, together with an explanation of their purpose and effect.

Yours sincerely

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive, flowing style.

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Minister for Climate Change

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

INFRASTRUCTURE (WALES) BILL – STAGE 2 GOVERNMENT AMENDMENTS

This table provides information about the amendments tabled in the name of Julie James MS on 13 February 2024.

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
156	Section 20, page 15, line 5, leave out 'or 110 of that Act (orders authorising the diversion of navigable and non-navigable' and insert 'of that Act (orders authorising the diversion of navigable'.	Adran 20, tudalen 15, llinell 6, hepgorer 'neu 110 o'r Ddeddf honno (gorchmynion sy'n awdurdodi dargyfeirio cyrsiau dŵr mordwyol ac anfordwyol' a mewnosoder 'o'r Ddeddf honno (gorchmynion sy'n awdurdodi dargyfeirio cyrsiau dŵr mordwyol'.	<p>The purpose of this amendment is to remove references to section 110 of the Highways Act 1980.</p> <p>The effect of this amendment is to ensure that any references to the Highways Act 1980 is consistent with the powers within the Bill. There is no requirement for Section 110 to be exercised by way of an order, and an Infrastructure Consent (IC) can make provision for the works referenced in s.110 of the Highways Act.</p>
157	Section 20, page 15, after line 8, insert— '(4) If infrastructure consent is required for the construction, improvement or alteration of a highway, section 110 of the Highways Act 1980 (c. 66) (power to authorise diversion of non-navigable waters) does not apply in relation to the highway or in connection with the construction, improvement or alteration of the highway.'	Adran 20, tudalen 15, ar ôl llinell 9, mewnosoder— '(4) Os yw cydsyniad seilwaith yn ofynnol i adeiladu, gwella neu addasu priffordd, nid yw adran 110 o Ddeddf Priffyrdd 1980 (p. 66) (pŵer i awdurdodi dargyfeirio dyfroedd anfordwyol) yn gymwys mewn perthynas â'r briffordd nac mewn cysylltiad ag adeiladu, gwella neu addasu'r briffordd.'	<p>The purpose of this amendment is to remove the requirement for an order under Section 110 of the Highways Act 1980 in relation to Infrastructure Consent.</p> <p>The effect of this amendment is to ensure that any references to the Highways Act 1980 is consistent with the powers within the Bill. This amendment is consequential to Amendment 156.</p>
158	Section 24, page 17, after line 9, insert—	Adran 24, tudalen 17, ar ôl llinell 10, mewnosoder—	The purpose of this amendment is to insert a new section (a) and (b) into Section 24 which require

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	<p>'(4) As soon as reasonably practicable after giving a direction under subsection (1), the Welsh Ministers must—</p> <p>(a) publish the direction, and</p> <p>(b) lay a statement about the direction before Senedd Cymru explaining its effect and why it was made.'</p>	<p>'(4) Cyn gynted ag y bo'n rhesymol ymarferol ar ôl rhoi cyfarwyddyd o dan is-adran (1), rhaid i Weinidogion Cymru—</p> <p>(a) cyhoeddi'r cyfarwyddyd, a</p> <p>(b) gosod datganiad ynghylch y cyfarwyddyd gerbron Senedd Cymru yn egluro ei effaith a pham y'i gwnaed.'</p>	<p>publication and notification when a direction is made.</p> <p>The effect of this amendment is to ensure that the Welsh Ministers publish any direction given under section 24 and to ensure that members of Senedd are notified that a direction has been made and why.</p>
159	<p>Section 29, page 20, after line 22, insert—</p> <p>'() if the proposed development is located in an area for which there is a community council, the community council;</p> <p>() each Member of the Senedd representing an area in which the proposed development is located;</p> <p>() each Member of the House of Commons representing an area in which the proposed development is located;'</p>	<p>Adran 29, tudalen 20, ar ôl llinell 24, mewnosoder—</p> <p>'() os yw'r datblygiad arfaethedig wedi ei leoli mewn ardal y ceir cyngor cymuned ar ei chyfer, y cyngor cymuned;</p> <p>() pob Aelod o'r Senedd sy'n cynrychioli ardal y lleolir y datblygiad arfaethedig ynddi;</p> <p>() pob Aelod o Dŷ'r Cyffredin sy'n cynrychioli ardal y lleolir y datblygiad arfaethedig ynddi;'</p>	<p>The purpose of this amendment is to modify the list of those persons who are to be notified of a proposed application for infrastructure consent.</p> <p>The effect of this amendment will ensure community councils (if there is one), Members of the Senedd, and Members of Parliament are notified of proposed applications within their area / constituency, where development is in Wales.</p>
160	<p>Section 29, page 20, line 23, after 'authority', insert' and community council'.</p>	<p>Adran 29, tudalen 20, llinell 25, ar ôl 'cynllunio', mewnosoder 'a phob cyngor cymuned'.</p>	<p>The purpose of this amendment is to modify the list of those persons who are to be notified of a proposed application for infrastructure consent.</p> <p>The effect of this amendment will ensure any community council the person who submits notice of a proposed application considers appropriate, is notified of a proposed application for infrastructure consent in the Welsh marine area.</p>

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161	Section 29, page 20, after line 24, insert— '() each Member of the Senedd and Member of the House of Commons the person considers appropriate;'	Adran 29, tudalen 20, ar ôl llinell 26, mewnosoder— '() pob Aelod o'r Senedd a phob Aelod o Dŷ'r Cyffredin y mae'r person yn ystyried ei fod yn briodol;'	The purpose of this amendment is to modify the list of those persons who are to be notified of a proposed application for infrastructure consent. The effect of this amendment will ensure Members of the Senedd, and Members of Parliament, who the person submitting a notice of a proposed application considers appropriate, are notified of proposed applications where development is in the Welsh marine area.
162	Section 33, page 22, line 35, leave out 'the planning authority for each' and insert 'each planning authority for an'.	Adran 33, tudalen 22, llinell 37, hepgorer 'i'r awdurdod cynllunio ar gyfer pob' a mewnosoder 'i bob awdurdod cynllunio ar gyfer'.	The purpose of this amendment is to clarify the wording relating to which planning authorities the Welsh Ministers are required to give notice to for an accepted application. The effect of this amendment ensures clarity of wording.
163	Section 33, page 23, leave out line 1 and insert— '() if the proposed development is located in an area for which there is a community council, to the community council; () to each Member of the Senedd representing an area in which the proposed development is situated; () to each Member of the House of Commons representing an area in which the proposed development is	Adran 33, tudalen 23, hepgorer llinell 1 a mewnosoder— '() os yw'r datblygiad arfaethedig wedi ei leoli mewn ardal y ceir cyngor cymuned ar ei chyfer, i'r cyngor cymuned; () i bob Aelod o'r Senedd sy'n cynrychioli ardal y lleolir y datblygiad arfaethedig ynddi; () i bob Aelod o Dŷ'r Cyffredin sy'n cynrychioli ardal y lleolir y datblygiad arfaethedig ynddi;'	The purpose of this amendment is to reflect that not all areas for which an application for infrastructure relates will have a community council. The effect of this amendment ensures there is only a requirement to notify a community council in an area to which an application for infrastructure consent relates, if there is one.

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	situated;’.		
164	<p>Section 33, page 23, line 4, leave out— ‘the planning authority or community council they consider appropriate;’</p> <p>and insert— ‘each planning authority and community council they consider appropriate; (iii) to each Member of the Senedd and Member of the House of Commons they consider appropriate;’.</p>	<p>Adran 33, tudalen 23, llinell 4, hepgorer— ‘i’r awdurdod cynllunio neu’r cyngor cymuned y maent yn ystyried ei fod yn briodol;’</p> <p>a mewnosoder— ‘i bob awdurdod cynllunio a phob cyngor cymuned y maent yn ystyried ei fod yn briodol; (iii) i bob Aelod o’r Senedd a phob Aelod o Dŷ’r Cyffredin y maent yn ystyried ei fod yn briodol;’.</p>	<p>The purpose of this amendment is to modify the list of those persons who are to be notified of an accepted application for infrastructure consent.</p> <p>The effect of this amendment will ensure Members of the Senedd and Members of Parliament are notified of proposed applications within their area / constituency, where development is in Wales.</p>
165	<p>Section 41, page 27, after line 6, insert— ‘() And a determination must provide for examination of the application to include a hearing, unless— (a) the determination provides for a local inquiry to be conducted, or (b) the examining authority considers that a hearing would not assist the examination.’.</p>	<p>Adran 41, tudalen 27, ar ôl llinell 5, mewnosoder— ‘() A rhaid i ddyfarniad ddarparu y bydd archwiliad o’r cais yn cynnwys gwrandawriad, oni bai bod— (a) y dyfarniad yn darparu y bydd ymchwiliad lleol yn cael ei gynnal, neu (b) yr awdurdod archwilio yn ystyried na fyddai gwrandawriad yn cynorthwyo’r archwiliad.’.</p>	<p>The purpose of this amendment is to provide that a determination for examination of an infrastructure application must include a hearing, unless the determination provides for a local inquiry or a hearing is not considered to assist the examination.</p> <p>The effect of this amendment is to provide clarity on the likely procedure for examining an application for infrastructure consent by making a hearing the default position, unless other examination procedures are deemed more suitable.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
166	<p>Page 28, line 23, leave out section 43 and insert—</p> <p>'43 Power to enter land in connection with examination</p> <p>(1) A person authorised in writing by the Welsh Ministers may at a reasonable time enter land in Wales for the purpose of inspecting the land in connection with the examination of applications under this Part.</p> <p>(2) A person authorised under subsection (1) to enter land—</p> <p>(a) must, if required, produce evidence of the person's authority, and state the purpose of the person's entry, before entering,</p> <p>(b) may not demand admission as of right to any land which is occupied unless 14 days' notice of the intended entry has been given to the occupier,</p> <p>(c) may take on to the land any other persons that are necessary,</p> <p>(d) must, if leaving the land at a time when no owner or occupier is present, leave it as effectively secured against trespassers as the person found it, and</p> <p>(e) must comply with any other conditions subject to which the Welsh Ministers' authorisation is given.</p>	<p>Tudalen 28, llinell 25, hepgorer adran 43 a mewnosoder—</p> <p>'43 Pŵer i fynd ar dir mewn cysylltiad ag archwiliad</p> <p>(1) Caiff person sydd wedi ei awdurdodi'n ysgrifenedig gan Weinidogion Cymru fynd ar dir yng Nghymru ar adeg resymol at ddiben edrych ar y tir mewn cysylltiad ag archwilio ceisiadau o dan y Rhan hon.</p> <p>(2) Mewn perthynas â pherson sydd wedi ei awdurdodi i fynd ar dir o dan is-adran (1)—</p> <p>(a) rhaid iddo, os yw'n ofynnol iddo wneud hynny, ddangos tystiolaeth o awdurdodiad y person, a datgan diben mynd ar y tir, cyn mynd arno,</p> <p>(b) ni chaiff fynnu cael mynediad fel hawl i unrhyw dir sydd wedi ei feddiannu oni roddwyd 14 o ddiwrnodau o rybudd o'r mynediad bwriadedig i'r meddiannydd,</p> <p>(c) caiff fynd ag unrhyw bersonau eraill sy'n angenrheidiol ar y tir,</p> <p>(d) rhaid iddo, os yw'n ymadael â'r tir ar adeg pan nad oes perchennog neu feddiannydd yn bresennol, ei adael wedi ei ddiogelu yr un mor effeithiol rhag tresmaswyr ag yr oedd pan aeth y person arno, ac</p>	<p>The purpose of this amendment is to replace Section 43 with on the power to enter land in relation to an examination.</p> <p>The effect of this amendment is to require authorisation in writing to be provided by the Welsh Ministers to exercise this power, condition on the use of the power in respect of identification, time period, who may enter, and requirements on the leaving of land. It will be a criminal offence to intentionally obstruct the exercise of this power.</p>

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	<p>(3) A person commits an offence if the person intentionally obstructs a person acting in the exercise of power under subsection (1).</p> <p>(4) A person guilty of an offence under subsection (3) is liable on summary conviction to a fine.’.</p>	<p>(e) rhaid iddo gydymffurfio ag unrhyw amodau eraill y rhoddir awdurdodiad Gweinidogion Cymru yn ddarostyngedig iddynt.</p> <p>(3) Mae person yn cyflawni trosedd os yw'r person yn rhwystro'n fwriadol berson sy'n gweithredu wrth arfer pŵer o dan is-adran (1).</p> <p>(4) Mae person sy'n euog o drosedd o dan is-adran (3) yn agored ar euogfarn ddiannod i ddirwy.’.</p>	
167	<p>Page 28, after line 27, insert a new section—</p> <p>[] Power to enter Crown land in connection with examination</p> <p>(1) Section [section to be inserted by amendment 166] applies to Crown land, subject to subsections (2) and (3).</p> <p>(2) A person must not enter Crown land unless the person (“P”) has the permission of—</p> <p>(a) a person appearing to P to be entitled to give it, or</p> <p>(b) the appropriate Crown authority.</p> <p>(3) Subsections (2)(b), (3) and (4) of section [section to be inserted by amendment 166] do not apply in relation to anything done by virtue of this section.’.</p>	<p>Tudalen 28, ar ôl llinell 29, mewnosoder adran newydd—</p> <p>[] Pŵer i fynd ar dir y Goron mewn cysylltiad ag archwiliad</p> <p>(1) Mae adran [adran sydd i'w mewnosod gan welliant 166] yn gymwys i dir y Goron yn ddarostyngedig i is-adrannau (2) a (3).</p> <p>(2) Ni chaiff person fynd ar dir y Goron oni fo'r person (“P”) wedi cael caniatâd—</p> <p>(a) person yr ymddengys i P fod ganddo hawl i'w roi, neu</p> <p>(b) awdurdod priodol y Goron.</p> <p>(3) Nid yw is-adrannau (2)(b), (3) a (4) o adran [adran sydd i'w mewnosod gan welliant 166] yn gymwys mewn perthynas ag unrhyw beth a wneir yn rhinwedd yr adran hon.’.</p>	<p>The purpose of this amendment is to insert a new section to enter Crown land in relation to an examination.</p> <p>The effect of this amendment is to require authorisation by the Crown authority or a person entitled to give it to exercise this power, and to limit the use of the power.</p>
168	<p>Page 32, line 17, leave out section 53 and insert—</p>	<p>Tudalen 32, llinell 18, hepgorer adran 53 a mewnosoder—</p>	<p>The purpose of this amendment is to replace Section 53 of the Bill. Section 53 covers the</p>

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	<p>'53 Deciding applications: general considerations</p> <p>(1) In deciding an application for infrastructure consent, the examining authority or the Welsh Ministers (as the case may be) must—</p> <p>(a) have regard to—</p> <p>(i) any infrastructure policy statement that has effect in relation to the kind of development to which the application relates (a “relevant policy statement”),</p> <p>(ii) the National Development Framework for Wales so far as relevant to the kind of development to which the application relates,</p> <p>(iii) any marine plan (within the meaning of section 51(3) of the Marine and Coastal Access Act 2009 (c. 23)) prepared and adopted by the Welsh Ministers so far as relevant to the kind of development to which the application relates, and</p> <p>(b) make their decision or its decision (as the case may be) in accordance with the relevant policy statement, framework or plan unless relevant considerations indicate otherwise.</p> <p>(2) The fact that any relevant policy statement, framework or plan identifies a</p>	<p>'53 Penderfynu ar geisiadau: ystyriaethau cyffredinol</p> <p>(1) Wrth benderfynu ar gais am gydsyniad seilwaith, rhaid i'r awdurdod archwilio neu Weinidogion Cymru (yn ôl y digwydd)—</p> <p>(a) rhoi sylw i—</p> <p>(i) unrhyw ddatganiad polisi seilwaith sy'n cael effaith mewn perthynas â'r math o ddatblygiad y mae'r cais yn ymwneud ag ef (“datganiad polisi perthnasol”),</p> <p>(ii) Fframwaith Datblygu Cenedlaethol Cymru i'r graddau y bo'n berthnasol i'r math o ddatblygiad y mae'r cais yn ymwneud ag ef,</p> <p>(iii) unrhyw gynllun morol (o fewn yr ystyr a roddir i “marine plan” yn adran 51(3) o Ddeddf y Môr a Mynediad i'r Arfordir 2009 (p. 23)) sydd wedi ei lunio a'i fabwysiadu gan Weinidogion Cymru i'r graddau y bo'n berthnasol i'r math o ddatblygiad y mae'r cais yn ymwneud ag ef,</p> <p>a</p> <p>(b) gwneud eu penderfyniad neu ei benderfyniad (yn ôl y digwydd) yn unol â'r datganiad polisi perthnasol, y fframwaith neu'r cynllun, oni fo</p>	<p>hierarchy of policy documents, the duty to determine applications in accordance with those documents, and exceptions to the duty.</p> <p>The effect of this amendment is to</p> <ol style="list-style-type: none"> 1) Retain the requirement to determine the policy in accordance with the listed documents 2) remove the hierarchy of policy documents, to enable the decision maker to weigh up and balance conflict. 3) Retain the exceptions to the duty listed in point 1). <p>The amendments ensure decision making for infrastructure applications follows a similar approach to that prescribed under section 38(6) of the Planning and Compulsory Purchase Act 2004.</p>

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	location as suitable (or potentially suitable) for a particular kind of development does not prevent the Welsh Ministers or examining authority (as the case may be) from deciding an application otherwise than in accordance with the relevant policy statement, framework or plan if relevant considerations indicate otherwise.’.	ystyriaethau perthnasol yn dangos fel arall. (2) Nid yw'r ffaith bod unrhyw ddatganiad polisi perthnasol, fframwaith neu gynllun yn nodi bod lleoliad yn addas (neu y gallai fod yn addas) ar gyfer math penodol o ddatblygiad yn rhwystro Gweinidogion Cymru neu'r awdurdod archwilio (yn ôl y digwydd) rhag penderfynu ar gais ac eithrio yn unol â'r datganiad polisi perthnasol, y fframwaith neu'r cynllun os yw ystyriaethau perthnasol yn dangos fel arall.’.	
169	Section 54, page 33, line 25, leave out ‘material’ and insert ‘relevant’.	Nid oes angen diwygio'r fersiwn Cymraeg. There is no need to amend the Welsh version.	The purpose of this amendment is to replace the term ‘material consideration’ with ‘relevant consideration’. The effect of this amendment is to ensure the terminology used is accessible. The term ‘relevant consideration’ provides a broader and more generally understood exception to the requirement to decide an infrastructure application in accordance with the statutory policy framework listed at Part 5 of the Bill.
170	Page 33, line 27, leave out section 55 and insert— ‘55 Matters that may be disregarded when making decisions on applications (1) In deciding an application for infrastructure consent, the Welsh Ministers or the examining authority may disregard representations if the Welsh Ministers	Tudalen 33, llinell 28, hepgorer adran 55 a mewnosoder— ‘55 Materion y caniateir eu diystyru wrth wneud penderfyniadau ar geisiadau (1) Wrth benderfynu ar gais am gydsyniad seilwaith, caiff Gweinidogion Cymru neu'r awdurdod archwilio ddiystyru sylwadau os yw Gweinidogion Cymru yn ystyried, neu os	The purpose of this amendment is to add information to the Bill on matters the determining body may disregard in determining an application for infrastructure consent. These matters are, in summary, representations that are vexatious or frivolous, relate to the merits of policy set out in statutory documents or relate to compensation in respect of the acquisition of land or its interests.

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>consider, or the examining authority considers (as the case may be), that the representations—</p> <p>(a) are vexatious or frivolous,</p> <p>(b) relate to the merits of policy set out in—</p> <p>(i) an infrastructure policy statement,</p> <p>(ii) the National Development Framework for Wales, or</p> <p>(iii) any marine plan (within the meaning of section 51(3) of the Marine and Coastal Access Act 2009 (c. 23)) prepared and adopted by the Welsh Ministers, or</p> <p>(c) relate to compensation for compulsory acquisition of land or of an interest in or right over land.</p> <p>(2) In subsection (1), “representation” includes evidence.</p> <p>(3) Regulations may amend subsection (1)—</p> <p>(a) to specify further matters that may be disregarded;</p> <p>(b) to change or remove matters specified under paragraph (a).’.</p>	<p>yw'r awdurdod archwilio yn ystyried (yn ôl y digwydd), fod y sylwadau—</p> <p>(a) yn flinderus neu'n wacsaw,</p> <p>(b) yn ymwneud â rhinweddau polisi a nodir—</p> <p>(i) mewn datganiad polisi seilwaith,</p> <p>(ii) yn Fframwaith Datblygu Cenedlaethol Cymru, neu</p> <p>(iii) mewn unrhyw gynllun morol (o fewn yr ystyr a roddir i “marine plan” yn adran 51(3) o Ddeddf y Môr a Mynediad i'r Arfordir 2009 (p. 23)) sydd wedi ei lunio a'i fabwysiadu gan Weinidogion Cymru, neu</p> <p>(c) yn ymwneud â digolledu am gaffael yn orfodol dir neu fuddiant mewn tir neu hawl dros dir.</p> <p>(2) Yn is-adran (1), mae “sylwadau” yn cynnwys tystiolaeth.</p> <p>(3) Caiff rheoliadau ddiwygio is-adran (1)—</p> <p>(a) i bennu materion pellach y caniateir eu diystyru;</p> <p>(b) i newid neu ddileu materion a bennir o dan baragraff (a).’.</p>	<p>The effect of this amendment is to provide detail in the Bill on matters the determining body may disregard in determining an application for infrastructure consent, in addition to being able to specify additional matters on the face of the Bill through regulations.</p>
171	Section 87, page 51, line 16, leave out ‘or on behalf of’.	Adran 87, tudalen 51, llinell 18, hepgorer ‘neu ar ran y canlynol’	<p>The purpose of this amendment is to remove the words, ‘or on behalf of’.</p> <p>The effect of the amendment is to provide consistency in wording between sections.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
172	<p>Section 88, page 53, line 6, after 'to', insert '—</p> <p>(a) the applicant or a successor in title of the applicant,</p> <p>(b) the person who made the application under section 87 (if different to the person mentioned in paragraph (a)), and'.</p>	<p>Adran 88, tudalen 53, llinell 6, ar ôl 'i', mewnosoder '—</p> <p>(a) y ceisydd neu olynnydd yn nheiti y ceisydd,</p> <p>(b) y person a wnaeth y cais o dan adran 87 (os yw'n wahanol i'r person a grybwyllir ym mharagraff (a)), ac'.</p>	<p>The purpose of this amendment is to provide clarity and certainty on the face of the Bill of who is to be notified of a change or revocation to an infrastructure consent order.</p> <p>The effect of this amendment is that the applicant, successor in title or the person who made an application (if different), is given notice of a change or revocation of their order.</p>
173	<p>Section 104, page 61, line 13, leave out 'for a purpose mentioned in section 103' and insert 'to assess whether an offence under section 100 or 101 is being, or has been, committed on or in respect of the land'.</p>	<p>Adran 104, tudalen 61, llinell 15, hepgorer 'at ddiben a grybwyllir yn adran 103' a mewnosoder 'i asesu a yw trosedd o dan adran 100 neu 101 yn cael ei chyflawni, neu wedi ei chyflawni, ar y tir neu mewn cysylltiad â'r tir'.</p>	<p>The purpose of this amendment is to replace 'a purpose mentioned in section 103' with 'to assess whether an offence under section 100 or 101 is being, or has been, committed on or in respect of the land'.</p> <p>The effect of this amendment is to provide clarity and certainty on the face of the Bill of the circumstances in which a warrant can be sought to enter land for the purposes of investigating whether an offence under section 100 or section 101 has been committed.</p>
174	<p>Section 122, page 71, line 10, leave out—</p> <p>'it, in connection with—</p> <p>(a) a valid application for infrastructure consent, whether in relation to that or any other land,'</p> <p>and insert—</p> <p>'land, in connection with—</p> <p>(b) a valid application for infrastructure consent,'.</p>	<p>Adran 122, tudalen 71, llinell 10, hepgorer—</p> <p>'ohono, mewn cysylltiad ag—</p> <p>(a) cais dilys am gydsyniad seilwaith, pa un a yw mewn perthynas â'r tir hwnnw neu unrhyw dir arall,'</p> <p>a mewnosoder—</p> <p>'o dir, mewn cysylltiad ag—</p> <p>(a) cais dilys am gydsyniad seilwaith,'.</p>	<p>The purpose of this amendment is to ensure clarity on the language used in respect of the requirements to enter land for the purposes of survey.</p> <p>The effect of this amendment is that it makes clear one of the requirements for undertaking survey work is that it must be on land that is in</p>

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			connection with a valid application for infrastructure consent.
175	<p>Section 122, page 71, line 23, leave out 'and' and insert—</p> <p>'() may take on to the land any other persons that are necessary,</p> <p>() must, if leaving the land at a time when no owner or occupier is present, leave it as effectively secured against trespassers as the person found it, and'.</p>	<p>Adran 122, tudalen 71, llinell 25, hepgorer 'ac' a mewnosoder—</p> <p>'() caiff fynd ag unrhyw bersonau eraill sy'n angenrheidiol ar y tir,</p> <p>() rhaid iddo, os yw'n ymadael â'r tir ar adeg pan nad oes perchennog neu feddiannydd yn bresennol, ei adael wedi ei ddiogelu yr un mor effeithiol rhag tresmaswyr ag yr oedd pan aeth y person arno, ac'.</p>	<p>The purpose of this amendment is to provide additional principles in respect of the requirements to enter land for the purposes of survey.</p> <p>The effect of this amendment is to allow additional persons to be taken onto land where necessary and require land to be secured as it was on entry, in respect of land where survey work is to be undertaken.</p>
176	<p>Section 123, page 72, line 28, leave out '(3)' and insert '(3)(b)'.</p>	<p>Adran 123, tudalen 72, llinell 27, hepgorer '(3)' a mewnosoder '(3)(b)'.</p>	<p>The purpose of this amendment is to limit the disapplication of certain principles specified under section 122(3) when undertaking surveying of Crown land.</p> <p>The effect of this amendment is to only disapply the 14 days' notice period specified under section 122(3) but to ensure the other principles are retained when undertaking surveying of Crown land.</p>
177	<p>Section 128, page 74, line 33, leave out — 'directions to be published;' and insert—</p> <p>'the Welsh Ministers to, as soon as reasonably practicable after making a direction—</p> <p>(i) publish the direction, and</p>	<p>Adran 128, tudalen 74, llinell 37, hepgorer— 'i gyfarwyddydau gael eu cyhoeddi;' a mewnosoder—</p> <p>'i Weinidogion Cymru, cyn gynted ag y bo'n rhesymol ymarferol ar ôl gwneud cyfarwyddyd—</p> <p>(i) cyhoeddi'r cyfarwyddyd, a</p>	<p>The purpose of this amendment is to place a duty on the Welsh Ministers to publish any direction given under section 128 and to notify the Senedd that a direction has been made under section 128.</p> <p>The effect of this amendment is to ensure that the Welsh Ministers publish any direction given under</p>

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	(ii) lay a statement about the direction before Senedd Cymru explaining its effect and why it was made.’	(ii) gosod datganiad ynghylch y cyfarwyddyd gerbron Senedd Cymru yn egluro ei effaith a pham y'i gwnaed;’.	section 128 and to ensure that members of Senedd are notified that a direction has been made and the reasons why.
178	Section 137, page 80, line 10, after ‘33,’ insert ‘section 34,’.	Adran 137, tudalen 80, llinell 11, ar ôl ‘33,’ mewnosoder ‘adran 34,’	<p>The purpose of this amendment is to amend the list of provisions in section 137 which require Minister of the Crown consent.</p> <p>The effect of this amendment is to confirm that regulations made under section 34 have Minister of the Crown consent.</p>
179	Section 137, page 80, line 10, after ‘60(5),’ insert ‘section 88(3),’.	Adran 137, tudalen 80, llinell 11, ar ôl ‘60(5),’ mewnosoder ‘adran 88(3),’.	<p>The purpose of this amendment is to amend the list of provisions in section 137 which require Minister of the Crown consent.</p> <p>The effect of this amendment is to confirm that regulations made under section 88 have Minister of the Crown consent.</p>
180	Section 138, page 81, after line 7, insert— () section 52(1); () section [section to be inserted by amendment 170](3); () section 56(6);’.	Adran 138, tudalen 81, ar ôl llinell 8, mewnosoder— () adran 52(1); () adran [adran sydd i'w mewnosod gan welliant 170](3); () adran 56(6);’.	<p>The purpose of the amendment 28-30 is to amend the list of provisions listed in section 138.</p> <p>The effect of the amendment is to require those provisions to be subject to the draft affirmative procedure.</p>
181	Section 138, page 81, after line 9, insert— () section 127;’.	Adran 138, tudalen 81, ar ôl llinell 10, mewnosoder— () adran 127;’.	

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182	Section 138, page 81, after line 10, insert— ' () section 129;'	Adran 138, tudalen 81, ar ôl llinell 11, mewnosoder— ' () adran 129;'	
183	<p>Page 84, after line 31, insert a new section—</p> <p>'[] Transitional and saving provision</p> <p>(1) Sections 19 and 20 have no effect in relation to a development if the conditions in subsections (2) and (3) apply.</p> <p>(2) The first condition is that—</p> <p>(a) an application for a section 20 consent in relation to the development was made before the coming into force of sections 19 and 20 and the application has not been withdrawn,</p> <p>(b) a notification under section 62E of the TCPA 1990 of a proposed application in relation to the development was made before the coming into force of sections 19 and 20 and the notification has not been withdrawn, or</p> <p>(c) on the coming into force of sections 19 and 20, the making or confirmation of an order or scheme mentioned in subsection (2) or (3) of section 20 in relation to the development is under consideration by the Welsh Ministers, other than in response to an application.</p>	<p>Tudalen 84, ar ôl llinell 26, mewnosoder adran newydd—</p> <p>'[] Darpariaeth drosiannol a darpariaeth arbed</p> <p>(1) Nid yw adrannau 19 ac 20 yn cael unrhyw effaith mewn perthynas â datblygiad os yw'r amodau yn is-adrannau (2) a (3) yn gymwys.</p> <p>(2) Yr amod cyntaf yw—</p> <p>(a) y gwnaed cais am gydsyniad adran 20 mewn perthynas â'r datblygiad cyn i adrannau 19 ac 20 ddod i rym ac nad yw'r cais wedi ei dynnu yn ôl,</p> <p>(b) y gwnaed hysbysiad o dan adran 62E(1) o DCGTh 1990 am gais arfaethedig mewn perthynas â'r datblygiad cyn i adrannau 19 ac 20 ddod i rym ac nad yw'r hysbysiad wedi ei dynnu yn ôl, neu</p> <p>(c) pan ddaw adrannau 19 ac 20 i rym, fod gwneud neu gadarnhau gorchymyn neu gynllun a grybwyllir yn is-adran (2) neu (3) o adran 20 mewn perthynas â'r datblygiad o dan ystyriaeth gan Weinidogion Cymru, ac eithrio mewn ymateb i gais.</p> <p>(3) Yr ail amod yw—</p> <p>(a) bod y cwestiwn o ba un ai i roi neu i wneud y cydsyniad adran 20 ai peidio</p>	<p>The purpose of the section is to insert transitional provisions for development that fall under existing consenting regimes when the new regime brought in by this bill has effect.</p> <p>The effect of this amendment is to provide clarity and set out further details on the transition between existing consenting regimes and the Infrastructure Consenting process the Bill introduces.</p>

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	<p>(3) The second condition is that—</p> <p>(a) the question of whether to grant or make the section 20 consent is under consideration, where the transition period has not ended,</p> <p>(b) where subsection (2)(b) applies and the transition period has not ended—</p> <p>(i) the first 12 months of the transition period has not ended without an application for planning permission being made in relation to the development, or</p> <p>(ii) an application is made during the first 12 months of the transition period and the question of whether to grant planning permission is under consideration;</p> <p>(c) the section 20 consent is granted or made before the end of the transition period.</p> <p>(4) In subsection (3), the “transition period” means the period of 24 months beginning with the day sections 19 and 20 come into force.</p> <p>(5) The Welsh Ministers may, in relation to a development, direct that—</p> <p>(a) a different transition period applies for the purposes of subsection (3)(a), (b) or (c), or</p>	<p>o dan ystyriaeth, pan na fo'r cyfnod trosiannol wedi dod i ben,</p> <p>(b) pan fo is-adran (2)(b) yn gymwys ac na fo'r cyfnod trosiannol wedi dod i ben—</p> <p>(i) nad yw 12 mis cyntaf y cyfnod trosiannol wedi dod i ben heb i gais am ganiatâd cynllunio gael ei wneud mewn perthynas â'r datblygiad, neu</p> <p>(ii) y gwneir cais o fewn 12 mis cyntaf y cyfnod trosiannol a bod y cwestiwn o ba un ai i roi caniatâd cynllunio ai peidio o dan ystyriaeth;</p> <p>(c) y rhoddir neu y gwneir y cydsyniad adran 20 cyn diwedd y cyfnod trosiannol.</p> <p>(4) Yn is-adran (3), ystyr y “cyfnod trosiannol” yw'r cyfnod o 24 o fisoedd sy'n dechrau â'r diwrnod y mae adrannau 19 ac 20 yn dod i rym.</p> <p>(5) Caiff Gweinidogion Cymru, mewn perthynas â datblygiad, gyfarwyddo—</p> <p>(a) bod cyfnod trosiannol gwahanol yn gymwys at ddibenion is-adran (3)(a), (b) neu (c), neu</p> <p>(b) bod cyfnod ac eithrio 12 mis yn gymwys at ddibenion paragraff (b) o'r is-adran honno.</p> <p>(6) Caiff rheoliadau wneud darpariaeth at ddibenion is-adran (2) neu (3) ynghylch—</p> <p>(a) pan fydd cais neu hysbysiad i'w drin fel pe bai wedi ei wneud;</p>	

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	<p>(b) a period other than 12 months applies for the purposes of paragraph (b) of that subsection.</p> <p>(6) Regulations may make provision for the purposes of subsection (2) or (3) about—</p> <p>(a) when an application or notification is to be treated as made;</p> <p>(b) what under consideration means.</p> <p>(7) If a section 20 consent (“the original consent”) has effect (whether by virtue of subsection (1) or otherwise), nothing in section 20 prevents the original consent, or a section 20 consent that replaces it, from being varied or replaced.</p> <p>(8) If the original consent, or a section 20 consent that replaces it, is varied or replaced, section 19 does not apply to the development to which the consent as varied, or the replacement consent, relates (and so infrastructure consent is not required for that development).</p> <p>(9) A section 20 consent replaces an earlier section 20 consent for the purposes of this section if (but only if)—</p> <p>(a) it is granted or made on an application for consent for development without complying with conditions subject to which the earlier section 20 consent was granted or made, and</p> <p>(b) it is granted subject to, or made on, different conditions or unconditionally.</p>	<p>(b) beth y mae o dan ystyriaeth yn ei olygu.</p> <p>(7) Os yw cydsyniad adran 20 (“y cydsyniad gwreiddiol”) yn cael effaith (boed hynny yn rhinwedd is-adran (1) neu fel arall), nid oes unrhyw beth yn adran 20 yn atal y cydsyniad gwreiddiol, neu gydsyniad adran 20 sy’n ei ddisodli, rhag cael ei amrywio neu ei ddisodli.</p> <p>(8) Os yw’r cydsyniad gwreiddiol, neu gydsyniad adran 20 sy’n ei ddisodli, yn cael ei amrywio neu ei ddisodli, nid yw adran 19 yn gymwys i’r datblygiad y mae’r cydsyniad fel y’i hamrywiwyd, neu’r cydsyniad sy’n disodli’r cydsyniad gwreiddiol, yn ymwneud ag ef (ac felly nid yw cydsyniad seilwaith yn ofynnol ar gyfer y datblygiad hwnnw).</p> <p>(9) Mae cydsyniad adran 20 yn disodli cydsyniad adran 20 cynharach at ddibenion yr adran hon os (ond dim ond os)—</p> <p>(a) y’i rhoddir neu y’i gwneir ar gais am gydsyniad ar gyfer datblygiad heb gydymffurfio ag amodau y rhoddiwyd neu y gwnaed y cydsyniad adran 20 cynharach yn ddarostyngedig iddynt, a</p> <p>(b) y’i rhoddir yn ddarostyngedig i amodau gwahanol, neu y’i gwneir ar amodau gwahanol, neu’n ddiamed.</p> <p>(10) Mae darpariaethau DCGTh 1990 yn cael effaith fel pe na bai’r diwygiadau a wneir</p>	

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	(10) The provisions of the TCPA 1990 have effect as if the amendments made to that Act by paragraph 4 of Schedule 3 had not been made in so far as the provisions of the TCPA 1990 relate to a development to which sections 19 and 20 do not apply by virtue of this section.’	i'r Ddeddf honno gan baragraff 4 o Atodlen 3 wedi eu gwneud i'r graddau y bo darpariaethau DCGTh 1990 yn ymwneud â datblygiad nad yw adrannau 19 ac 20 yn gymwys iddo yn rhinwedd yr adran hon.’	
184	Schedule 3, page 97, line 1, leave out ‘20(3) of the Infrastructure (Wales) Act 2024 (exclusion of powers to make or confirm orders’ and insert ‘20[<i>subsection to be inserted by amendment 157</i>] of the Infrastructure (Wales) Act 2024 (exclusion of power to authorise diversion of non-navigable waters’.	Atodlen 3, tudalen 97, llinell 1, hepgorer ‘20(3) of the Infrastructure (Wales) Act 2024 (exclusion of powers to make or confirm orders’ a mewnosoder ‘20[<i>is-adran sydd i'w mewnosod gan welliant 157</i>] of the Infrastructure (Wales) Act 2024 (exclusion of power to authorise diversion of non-navigable waters’.	This amendment is consequential to Amendment 156.
185	Schedule 3, page 97, after line 33, insert— () In section 62P— (a) in subsection (1), omit “62D,”; (b) in subsection (2), omit “62D or”. () In section 62Q— (a) in subsection (1)(a), omit “62D, 62F,”; (b) in subsection (4)(a)— (i) omit “section 62D or”; (ii) for “the section in question” substitute “that section”; (c) in subsection (4)(b)— (i) omit “62F or”; (ii) for “the section in question” substitute “that section”.	Atodlen 3, tudalen 97, ar ôl llinell 34, mewnosoder— () Yn adran 62P— (a) yn is-adran (1), hepgorer “62D,”; (b) yn is-adran (2), hepgorer “62D or”. () Yn adran 62Q— (a) yn is-adran (1)(a), hepgorer “62D, 62F,”; (b) yn is-adran (4)(a)— (i) hepgorer “section 62D or”; (ii) yn lle “the section in question” rhodder “that section”; (c) yn is-adran (4)(b)— (i) hepgorer “62F or”;	The purpose of this amendment is to remove references to Developments of National Significance (DNS) in the Town and Country Planning Act 1990. The effect of this amendment ensures relevant planning legislation references the Infrastructure Consenting process, as this will replace the DNS regime. Equivalent provisions are set out in Part 4 and Part 5 of the Bill.

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	<p>() In section 62R(1)— (a) omit “62D,”; (b) omit “62F,” in both places it occurs.</p> <p>() In section 62S— (a) omit “developments of national significance and”; (b) after “Welsh Ministers” insert “under section 62M or 62O”.</p> <p>() In section 70(1)(a), omit “section 62D(5).”</p> <p>() In section 70A(1)(a), as it applies in relation to Wales, omit “62D, 62F,”.</p> <p>() In section 75A— (a) in subsection (1)(a), omit “62D,”; (b) in subsection (2), omit “62D,”; (c) in subsection (3), omit “62D,”.</p> <p>() In section 87, omit subsection (5).</p> <p>() In section 88, omit subsection (11).’.</p>	<p>(ii) yn lle “the section in question” rhodder “that section”.</p> <p>() Yn adran 62R(1)— (a) hepgorer “62D,”; (b) hepgorer “62F,” yn y ddau le y mae’n digwydd.</p> <p>() Yn adran 62S— (a) hepgorer “developments of national significance and”; (b) ar ôl “Welsh Ministers” mewnosoder “under section 62M or 62O”.</p> <p>() Yn adran 70(1)(a), hepgorer “section 62D(5).”</p> <p>() Yn adran 70A(1)(a), fel y mae’n gymwys o ran Cymru, hepgorer “62D, 62F,”.</p> <p>() Yn adran 75A— (a) yn is-adran (1)(a), hepgorer “62D,”; (b) yn is-adran (2), hepgorer “62D,”; (c) yn is-adran (3), hepgorer “62D,”.</p> <p>() Yn adran 87, hepgorer is-adran (5).</p> <p>() Yn adran 88, hepgorer is-adran (11).’.</p>	
186	<p>Schedule 3, page 97, after line 36, insert— ‘() In section 252— (a) omit subsections (3A), (6B), (6C) and (6D); (b) in subsection (12), omit the definition of “development of national significance”.</p> <p>() In section 253(2)(aa), omit “62D, 62F,”.</p> <p>() In section 257(4)(c), omit “62D, 62F,”.</p>	<p>Atodlen 3, tudalen 97, ar ôl llinell 37, mewnosoder— ‘() Yn adran 252— (a) hepgorer is-adrannau (3A), (6B), (6C) a (6D); (b) yn is-adran (12), hepgorer y diffiniad o “development of national significance”.</p>	<p>The purpose of this amendment is to remove references to Developments of National Significance (DNS) in the Town and Country Planning Act 1990.</p> <p>The effect of this amendment, in conjunction with the others in this section, ensures consistency on Infrastructure Consent replacing the DNS regime. Equivalent provisions are set out in Part 4 and</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>() In section 284(3), omit paragraphs (aa) and (ab).</p> <p>() In section 303—</p> <p>(a) in subsection (1B)(a), omit “section 62D (developments of national significance),”;</p> <p>(b) in subsection (1C)—</p> <p>(i) omit paragraph (a);</p> <p>(ii) in paragraph (b), omit “62D, 62F,”.</p> <p>() In section 319B—</p> <p>(a) in subsection (5A), omit “62D,”;</p> <p>(b) in subsection (7), omit paragraph (za);</p> <p>(c) in subsection (8A), omit “62D,”.</p> <p>() In section 324(1), omit paragraph (bb).</p> <p>() In section 333—</p> <p>(a) in subsection (3F), omit paragraphs (b) and (c);</p> <p>(b) in subsection (5C), omit “62L(9),”.</p>	<p>() Yn adran 253(2)(aa), hepgorer “62D, 62F,”.</p> <p>() Yn adran 257(4)(c), hepgorer “62D, 62F,”.</p> <p>() Yn adran 284(3), hepgorer paragraffau (aa) ac (ab).</p> <p>() Yn adran 303—</p> <p>(a) yn is-adran (1B)(a), hepgorer “section 62D (developments of national significance),”;</p> <p>(b) yn is-adran (1C)—</p> <p>(i) hepgorer paragraff (a);</p> <p>(ii) ym mharagraff (b), hepgorer “62D, 62F,”.</p> <p>() Yn adran 319B—</p> <p>(a) yn is-adran (5A), hepgorer “62D,”;</p> <p>(b) yn is-adran (7), hepgorer paragraff (za);</p> <p>(c) yn is-adran (8A), hepgorer “62D,”.</p> <p>() Yn adran 324(1), hepgorer paragraff (bb).</p> <p>() Yn adran 333—</p> <p>(a) yn is-adran (3F), hepgorer paragraffau (b) ac (c);</p> <p>(b) yn is-adran (5C), hepgorer “62L(9),”.</p>	<p>Part 6 of the Bill.</p>
187	<p>Schedule 3, page 98, after line 2, insert—</p> <p><i>‘Planning (Hazardous Substances) Act 1990 (c. 10)</i></p> <p>[] (1) The Planning (Hazardous Substances)</p>	<p>Atodlen 3, tudalen 98, ar ôl llinell 2, mewnosoder—</p> <p><i>‘Deddf Cynllunio (Sylweddau Peryglus) 1990 (p. 10)</i></p>	<p>The purpose of this amendment is to insert reference to infrastructure consent in the Planning (Hazardous Substances) Act 1990.</p> <p>The effect of this amendment ensures</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>Act 1990 is amended as follows.</p> <p>(2) In section 9(2)(c), after “permission in principle” insert “, infrastructure consent”.</p> <p>(3) In section 10(1), after “specified planning permission” insert “, infrastructure consent”.</p> <p>(4) In section 12, after subsection (2B) insert— “(2C) On making an order granting infrastructure consent in respect of development that would involve the presence of a hazardous substance in circumstances requiring hazardous substances consent, the person making the order may direct that hazardous substances consent shall be deemed to be granted, subject to such conditions (if any) as may be specified in the direction.”</p> <p>(5) In section 14(2)(b), after “planning permission”, in each place it appears, insert “, infrastructure consent”.</p> <p>(6) In section 39, in the appropriate place, insert— ““infrastructure consent” has the meaning given in</p>	<p>[]</p> <p>(1) Mae Deddf Cynllunio (Sylweddau Peryglus) 1990 wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn adran 9(2)(c), ar ôl “permission in principle” mewnosoder “, infrastructure consent”.</p> <p>(3) Yn adran 10(1), ar ôl “specified Planning permission” mewnosoder “, infrastructure consent”.</p> <p>(4) Yn adran 12, ar ôl is-adran (2B) mewnosoder— “(2C) On making an order granting infrastructure consent in respect of development that would involve the presence of a hazardous substance in circumstances requiring hazardous substances consent, the person making the order may direct that hazardous substances consent shall be deemed to be granted, subject to such conditions (if any) as may be specified in the direction.”</p> <p>(5) Yn adran 14(2)(b), ar ôl “planning permission”, ym mhob lle y mae’n ymddangos, mewnosoder “, infrastructure consent”.</p> <p>(6) Yn adran 39, yn y lle priodol, mewnosoder— ““infrastructure consent” has the meaning given in</p>	<p>consistency in drafting across relevant planning legislation.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p style="text-align: center;">section 140 of the Infrastructure (Wales) Act 2024;".</p>	<p style="text-align: center;">section 140 of the Infrastructure (Wales) Act 2024;".</p>	
188	<p>Schedule 3, page 98, after line 2, insert—</p> <p>() In Schedule 1A, in paragraph 8(2A), omit “62D, 62F, ”.</p> <p>() In Schedule 4D—</p> <p>(a) in the Schedule title, omit “DEVELOPMENTS OF NATIONAL SIGNIFICANCE AND”;</p> <p>(b) omit paragraph 1;</p> <p>(c) in paragraph 3—</p> <p>(i) omit “1 or” in both places it occurs;</p> <p>(ii) omit “or consent” in both places it occurs;</p> <p>(iii) omit “(as the case may be)”;</p> <p>(d) in paragraph 4—</p> <p>(i) omit “1 or” in both places it occurs;</p> <p>(ii) omit “or consent” in both places it occurs;</p> <p>(e) in paragraph 7, omit “or consent”;</p> <p>(f) omit paragraph 8(2);</p> <p>(g) in paragraph 9—</p> <p>(i) omit “or consent”;</p> <p>(ii) omit “paragraph 1 or”;</p> <p>(h) in paragraph 10—</p> <p>(i) omit “or consent” in both places it occurs;</p> <p>(ii) omit “1 or”;</p>	<p>Atodlen 3, tudalen 98, ar ôl llinell 2, mewnosoder—</p> <p>() Yn Atodlen 1A, ym mharagraff 8(2A), hepgorer “62D, 62F, ”.</p> <p>() Yn Atodlen 4D—</p> <p>(a) yn nheiti yr Atodlen, hepgorer “DEVELOPMENTS OF NATIONAL SIGNIFICANCE AND”;</p> <p>(b) hepgorer paragraff 1;</p> <p>(c) ym mharagraff 3—</p> <p>(i) hepgorer “1 or” yn y ddau le y mae’n digwydd;</p> <p>(ii) hepgorer “or consent” yn y ddau le y mae’n digwydd;</p> <p>(iii) hepgorer “(as the case may be)”;</p> <p>(d) ym mharagraff 4—</p> <p>(i) hepgorer “1 or” yn y ddau le y mae’n digwydd;</p> <p>(ii) hepgorer “or consent” yn y ddau le y mae’n digwydd;</p> <p>(e) ym mharagraff 7, hepgorer “or consent”;</p> <p>(f) hepgorer paragraff 8(2);</p> <p>(g) ym mharagraff 9—</p> <p>(i) hepgorer “or consent”;</p> <p>(ii) hepgorer “paragraph 1 or”;</p> <p>(h) ym mharagraff 10—</p>	<p>The purpose of this amendment is to remove references to Developments of National Significance (DNS) in the Town and Country Planning Act 1990.</p> <p>The effect of this amendment, in conjunction with the others in this section, ensures consistency on Infrastructure Consent replacing the DNS regime.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>(i) in paragraph 11(1)— (i) omit “or consent”; (ii) omit “1 or”; (j) in paragraph 11(2), omit “1 or”; (k) in paragraph 12— (i) omit “or consent”; (ii) omit “1 or”; (l) in paragraph 13— (i) omit “or consent” in each place it occurs; (ii) omit “1 or” in each place it occurs; (iii) omit “, as the case may be,”; (m) in paragraph 14, omit “or consent”. () In Schedule 16, in Part 1, for “62D” substitute “62M”.</p>	<p>(i) hepgorer “or consent” yn y ddau le y mae’n digwydd; (ii) hepgorer “1 or”; (i) ym mharagraff 11(1)— (i) hepgorer “or consent”; (ii) hepgorer “1 or”; (j) ym mharagraff 11(2), hepgorer “1 or”; (k) ym mharagraff 12— (i) hepgorer “or consent”; (ii) hepgorer “1 or”; (l) ym mharagraff 13— (i) hepgorer “or consent” ym mhob lle y mae’n digwydd; (ii) hepgorer “1 or” ym mhob lle y mae’n digwydd; (iii) hepgorer “, as the case may be,”; (m) ym mharagraff 14, hepgorer “or consent”. () Yn Atodlen 16, yn Rhan 1, yn lle “62D” rhodder “62M”.</p>	
189	<p>Schedule 3, page 98, after line 22, insert— ‘Coal Industry Act 1994 (c. 21) [] (1) The Coal Industry Act 1994 is amended as follows. (2) In section 53— (a) in subsection (1), after “planning permission” insert “or infrastructure consent”;</p>	<p>Atodlen 3, tudalen 98, ar ôl llinell 23, mewnosoder— ‘Deddf y Diwydiant Glo 1994 (p. 21) [] (1) Mae Deddf y Diwydiant Glo 1994 wedi ei diwygio fel a ganlyn. (2) Yn adran 53—</p>	<p>The purpose of this amendment is to insert reference to infrastructure consent in the Coal Industry Act 1994. The effect of this amendment ensures consistency in drafting across relevant legislation.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>(b) in subsection (2), after “such an application” insert “for planning permission, or where an examining authority or the Welsh Ministers consider any coal-mining proposals included in such an application for infrastructure consent,”;</p> <p>(c) in subsection (4)—</p> <p>(i) in paragraph (a), after “Town and Country Planning Act 1990” insert “, but “development” has the meaning given by section 130 of the Infrastructure (Wales) Act 2024 so far as it relates to coal-mining proposals included in an application for infrastructure consent”;</p> <p>(ii) after the definition of “development” and “planning permission”, insert— “examining authority” has the meaning given by section 39(7) of the Infrastructure (Wales) Act 2024; “infrastructure consent” has the meaning given by section 140 of the Infrastructure (Wales)</p>	<p>(a) yn is-adran (1), ar ôl “planning permission” mewnosoder “or infrastructure consent”;</p> <p>(b) yn is-adran (2), ar ôl “such an application” mewnosoder “for planning permission, or where an examining authority or the Welsh Ministers consider any coal-mining proposals included in such an application for infrastructure consent,”;</p> <p>(c) yn is-adran (4)—</p> <p>(i) ym mharagraff (a), ar ôl “Town and Country Planning Act 1990” mewnosoder “, but “development” has the meaning given by section 130 of the Infrastructure (Wales) Act 2024 so far as it relates to coal-mining proposals included in an application for infrastructure consent”;</p> <p>(ii) ar ôl y diffiniad o “development” and “planning permission”, mewnosoder— “examining authority” has the meaning given by section 39(7) of the Infrastructure (Wales) Act 2024; “infrastructure consent” has the meaning given by section</p>	

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	Act 2024;".	140 of the Infrastructure (Wales) Act 2024;".	
190	<p>Schedule 3, page 98, after line 28, insert—</p> <p><i>'Marine and Coastal Access Act 2009 (c. 23)</i></p> <p>[] (1) The Marine and Coastal Access Act 2009 is amended as follows.</p> <p>(2) In section 58, after subsection (5) insert—</p> <p>“(5A) This section does not apply to a decision on an application for infrastructure consent under the Infrastructure (Wales) Act 2024.”</p> <p><i>'Flood and Water Management Act 2010 (c. 29)</i></p> <p>[] (1) The Flood and Water Management Act 2010 is amended as follows.</p> <p>(2) In Schedule 3, in paragraph 7(3) after “(nationally significant infrastructure projects)” insert “or work requiring infrastructure consent under section 19 of the Infrastructure (Wales) Act 2024.”.</p> <p><i>Planning (Wales) Act 2015 (anaw 4)</i></p> <p>[] (1) The Planning (Wales) Act 2015 is amended as follows.</p> <p>(2) In section 1(6), for “to the Welsh Ministers. It makes provision” to the end substitute “either to the Welsh Ministers or a local planning authority”.</p> <p>(3) Omit sections 19 to 22.</p> <p>(4) In Schedule 4—</p> <p>(a) in paragraph 5, omit “section</p>	<p>Atodlen 3, tudalen 98, ar ôl llinell 29, mewnosoder—</p> <p><i>'Deddf y Môr a Mynediad i'r Arfordir 2009 (p. 23)</i></p> <p>[] (1) Mae Deddf y Môr a Mynediad i'r Arfordir 2009 wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn adran 58, ar ôl is-adran (5) mewnosoder—</p> <p>“(5A) This section does not apply to a decision on an application for infrastructure consent under the Infrastructure (Wales) Act 2024.”</p> <p><i>Deddf Rheoli Llifogydd a Dŵr 2010 (p. 29)</i></p> <p>[] (1) Mae Deddf Rheoli Llifogydd a Dŵr 2010 wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn Atodlen 3, ym mharagraff 7(3) ar ôl “(nationally significant infrastructure projects)” mewnosoder “or work requiring infrastructure consent under section 19 of the Infrastructure (Wales) Act 2024.”.</p> <p><i>Deddf Cynllunio (Cymru) 2015 (dccc 4)</i></p> <p>[] (1) Mae Deddf Cynllunio (Cymru) 2015 wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn adran 1(6), yn lle “i Weinidogion Cymru. Mae'n gwneud darpariaeth” hyd at y diwedd rhodder “naill ai i Weinidogion Cymru neu i awdurdod cynllunio lleol”.</p> <p>(3) Hepgorer adrannau 19 i 22.</p>	<p><i>Marine and Coastal Access Act 2009</i></p> <p>The purpose of this amendment is to remove the power contained within Section 58 of the Marine and Coastal Access Act 2009. This power is already contained within section 53 of the Bill.</p> <p>The effect of this amendment is to avoid a duplication of powers in the Marine and Coastal Access Act 2009 and the Bill.</p> <p><i>Flood and Water Management Act 2010</i></p> <p>The purpose of this amendment is to insert reference to infrastructure consent in the Flood and Water Management Act 2010.</p> <p>The effect of this amendment ensures consistency in drafting across relevant legislation.</p> <p><i>Planning (Wales) Act 2015</i></p> <p>The purpose of this amendment is to remove reference to Developments of National Significance (DNS).</p> <p>The effect of this amendment ensures the drafting of relevant planning legislation makes the correct reference to infrastructure consent.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>62D(5)”;</p> <p>(b) in paragraph 6, omit “62D, 62F,”;</p> <p>(c) in paragraph 7, in the inserted section 75A of the TCPA 1990—</p> <p>(i) in subsection (1)(a), omit “62D,”;</p> <p>(ii) in subsection (2), omit “62D,”;</p> <p>(iii) in subsection (3), omit “62D,”;</p> <p>(d) omit paragraphs 8 and 9;</p> <p>(e) in paragraph 13, omit “62D, 62F,”;</p> <p>(f) in paragraph 14(b), omit “62D, 62F,”;</p> <p>(g) in paragraph 15(3)(c), omit paragraphs (aa) and (ab) inserted into section 284(3) of the TCPA 1990;</p> <p>(h) in paragraph 18, in the inserted section 303 of the TCPA 1990—</p> <p>(i) in subsection (1B)(a), omit “section 62D (developments of national significance),”;</p> <p>(ii) in subsection (1C), omit paragraph (a) and in paragraph (b), omit “62D, 62F,”;</p> <p>(i) in paragraph 20—</p> <p>(i) in sub-paragraph (2), omit “62D,”;</p> <p>(ii) in sub-paragraph (3), omit paragraph (za) inserted into</p>	<p>(4) Yn Atodlen 4—</p> <p>(a) ym mharagraff 5, hepgorer “section 62D(5)”;</p> <p>(b) ym mharagraff 6, hepgorer “62D, 62F,”;</p> <p>(c) ym mharagraff 7, yn adran 75A o DCGTh 1990 a fewnosodir—</p> <p>(i) yn is-adran (1)(a), hepgorer “62D,”;</p> <p>(ii) yn is-adran (2), hepgorer “62D,”;</p> <p>(iii) yn is-adran (3), hepgorer “62D,”;</p> <p>(d) hepgorer paragraffau 8 a 9;</p> <p>(e) ym mharagraff 13, hepgorer “62D, 62F,”;</p> <p>(f) ym mharagraff 14(b), hepgorer “62D, 62F,”;</p> <p>(g) ym mharagraff 15(3)(c), hepgorer paragraffau (aa) ac (ab) a fewnosodir yn adran 284(3) o DCGTh 1990;</p> <p>(h) ym mharagraff 18, yn adran 303 o DCGTh 1990 a fewnosodir—</p> <p>(i) yn is-adran (1B)(a), hepgorer “section 62D (developments of national significance),”;</p> <p>(ii) yn is-adran (1C), hepgorer paragraff (a) ac ym mharagraff (b) hepgorer “62D, 62F,”;</p>	<p><i>Infrastructure Act 2015</i></p> <p>The purpose of this amendment is to insert reference to infrastructure consent in the Infrastructure Act 2015.</p> <p>The effect of this amendment, in conjunction with the others in this section, ensures consistency in drafting where the infrastructure consent replaces the DNS regime.</p> <p><i>Housing and Planning Act 2016</i></p> <p>The purpose of this amendment is to insert reference to infrastructure consent in the Housing and Planning Act 2016.</p> <p>The effect of this amendment, in conjunction with the others in this section, ensures consistency in drafting to ensure correct references to infrastructure consent.</p>

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>section 319B(7) of the TCPA 1990;</p> <p>(iii) in sub-paragraph (4), in subsection (8A) inserted into section 319B of the TCPA 1990, omit “62D,”;</p> <p>(j) in paragraph 21, omit paragraph (bb) inserted into section 324(1) of the TCPA 1990;</p> <p>(k) in paragraph 22, in sub-paragraph (2A) inserted into paragraph 8 of Schedule 1A to the TCPA 1990, omit “62D, 62F,”;</p> <p>(l) in paragraph 23(2), for “62D” substitute “62M”.</p> <p><i>Infrastructure Act 2015 (c. 7)</i></p> <p>[] (1) The Infrastructure Act 2015 is amended as follows.</p> <p>(2) In Schedule 6, in paragraph 11(6), after paragraph (a) insert—</p> <p>“(aa) infrastructure consent under the Infrastructure (Wales) Act 2024;”.</p> <p><i>Housing and Planning Act 2016 (c. 22)</i></p> <p>[] (1) The Housing and Planning Act 2016 is amended as follows.</p> <p>(2) In section 205(1), in the definition of “planning consent”—</p> <p>(a) in paragraph (a), after “Act,” omit “or”;</p>	<p>(i) ym mharagraff 20—</p> <p>(i) yn is-baragraff (2), hepgorer “62D,”;</p> <p>(ii) yn is-baragraff (3), hepgorer paragraff (za) a fewnosodir yn adran 319B(7) o DCGTh 1990;</p> <p>(iii) yn is-baragraff (4), yn is-adran (8A) a fewnosodir yn adran 319B o DCGTh 1990, hepgorer “62D,”;</p> <p>(j) ym mharagraff 21, hepgorer paragraff (bb) a fewnosodir yn adran 324(1) o DCGTh 1990;</p> <p>(k) ym mharagraff 22, yn is-baragraff (2A) a fewnosodir ym mharagraff 8 o Atodlen 1A i DCGTh 1990, hepgorer “62D, 62F,”;</p> <p>(l) ym mharagraff 23(2), yn lle “62D” rhodder “62M”.</p> <p><i>Deddf Seilwaith 2015 (p. 7)</i></p> <p>[] (1) Mae Deddf Seilwaith 2015 wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn Atodlen 6, ym mharagraff 11(6), ar ôl paragraff (a) mewnosoder—</p> <p>“(aa) infrastructure consent under the Infrastructure (Wales) Act 2024;”.</p> <p><i>Deddf Tai a Chynllunio 2016 (p. 22)</i></p>	

No.	GOVERNMENT AMENDMENT	GWELLIANT Y LLYWODRAETH	PURPOSE AND EFFECT
	<p>(b) in paragraph (b), after “2008” insert— “, or</p> <p>(c) infrastructure consent under the Infrastructure (Wales) Act 2024”.</p>	<p>[] (1) Mae Deddf Tai a Chynllunio 2016 wedi ei diwygio fel a ganlyn.</p> <p>(2) Yn adran 205(1), yn y diffiniad o “planning consent”—</p> <p>(a) ym mharagraff (a), ar ôl “Act,” hepgorer “or”;</p> <p>(b) ym mharagraff (b), ar ôl “2008” mewnosoder— “, or</p> <p>(c) infrastructure consent under the Infrastructure (Wales) Act 2024”.</p>	