

Statutory Instruments with Clear Reports

27 March 2017

SL(5)076 – The Non-Domestic Rating (Miscellaneous Provisions) (Wales) Regulations 2017

Procedure: Negative

These Regulations make provision in connection with non-domestic rating under Part III of the Local Government Finance Act 1988 (“the 1988 Act”) in relation to Wales.

They remake, in relation to Wales, the provisions of the Non-Domestic Rating (Miscellaneous Provisions) Regulations 1989 (“the 1989 Regulations”) in order to reflect the separate administration of non-domestic rating in England and Wales and the separate application of part III of the 1988 Act to England and Wales provided by section 140 of the 1988 Act.

Parent Act: Local Government Finance Act 1988

Date Made: 6 March 2017

Date Laid: 10 March 2017

Coming into force date: 1 April 2017

SL(5)077 – The National Health Service (Dental Charges) (Wales) (Amendment) Regulations 2017

Procedure: Negative

These Regulations amend the National Health Service (Dental Charges) (Wales) Regulations 2006 (“the 2006 Regulations”).

Regulation 2 amends regulation 4 of the 2006 Regulations (calculation of charges) by increasing the applicable charge payable for a Band 1, Band 2 and a Band 3 course of treatment.

Parent Act: National Health Service (Wales) Act 2006

Date Made: 8 March 2017



Date Laid: 10 March 2017

Coming into force date: 1 April 2017

SL(5)078 – The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) (Amendment) Regulations 2017

Procedure: Affirmative

These Regulations amend the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015 in respect of fees for deemed applications and require:

- (a) the Welsh Ministers to send a copy of the notice specifying the time for payment of the fee to the relevant authority at the same time as the notice is sent to the appellant;
- (b) the relevant authority to notify the Welsh Ministers when the fee has been paid or if the fee has not been paid in the specified time.

Parent Act: Town and Country Planning Act 1990

Date Laid: 10 March 2017

Coming into force date: 5 May 2017

SL(5)079 – The Planning (Hazardous Substances) (Determination of Procedure) (Wales) Order 2017

Procedure: Affirmative

This Order adds to the list of proceedings in respect of which the Welsh Ministers must make a determination as to the procedure. The procedure can be a local inquiry, a hearing or written representations, or any combination of those three as the Welsh Ministers consider appropriate.

The effect of the Order is to require the Welsh Ministers to make a determination of procedure in respect of appeals against hazardous substances contravention notices.

Parent Act: Planning (Hazardous Substances) Act 1990



Date Laid: 10 March 2017

Coming into force date: 5 May 2017

SL(5)080 – The National Health Service (Welfare Reform Miscellaneous Amendments) (Wales) Regulations 2017

Procedure: Negative

These Regulations amend the National Health Service (General Ophthalmic Services) Regulations 1986, the National Health Service (Optical Charges and Payments) Regulations 1997 and the National Health Service (Travelling Expenses and Remission of Charges) (Wales) Regulations 2007. They revoke the National Health Service (Welfare Reform Consequential Amendments) (Wales) Regulations 2016.

These Regulations introduce thresholds for persons in receipt of universal credit if they are to qualify for reimbursement of travel expenses and assistance in respect of certain health related costs.

Parent Act: National Health Service (Wales) Act 2006

Date Made: 8 March 2017

Date Laid: 10 March 2017

Coming into force date: 1 April 2017

SL(5)083 – The Smoke Control Areas (Authorised Fuels) (Wales) Regulations 2017

Procedure: Negative

These Regulations revoke and replace with amendments the Smoke Control Areas (Authorised Fuels) (Wales) Regulations 2016.

Section 20 of the Clean Air Act 1993 (“the 1993 Act”) provides that it is an offence to emit smoke from a chimney of a building or a chimney serving a furnace of a fixed boiler or an industrial plant, if that chimney is within a smoke control area. However, by virtue of section 20(3), it is a defence to prove that the alleged emission was caused solely by use of an authorised fuel.



These Regulations specify all fuels which are currently authorised for use in smoke control areas in Wales for the purposes of section 20 of the 1993 Act.

Parent Act: Clean Air Act 1993

Date Made: 15 March 2017

Date Laid: 17 March 2017

Coming into force date: 7 April 2017

