

2017 No. 1179 (C. 111)

CONSTITUTIONAL LAW

DEVOLUTION, WALES

The Wales Act 2017 (Commencement No. 4) Regulations 2017

Made - - - -

29th November 2017

The Secretary of State, in exercise of the powers conferred by section 71(3), (4) (6) and (7) of the Wales Act 2017^(a), and having consulted the Welsh Ministers and the Presiding Officer of the National Assembly for Wales, makes the following Regulations:

Citation

1. These Regulations may be cited as the Wales Act 2017 (Commencement No. 4) Regulations 2017.

Principal Appointed Day

2. For the purposes of section 71(3) and the coming into force of section 3 of, and Schedules 1 and 2 to, the Wales Act 2017, the principal appointed day is 1st April 2018.

Commencement of other provisions of the Wales Act 2017

3. The following provisions of the Wales Act 2017 come into force on 1st April 2018—
- (a) section 4 (devolved Welsh Authorities);
 - (b) sections 5 to 8 (elections);
 - (c) sections 9 to 12 (other provision about legislation by the Assembly);
 - (d) section 13 (financial control, accounts and audit);
 - (e) sections 19, 20 and 22 (executive competence etc);
 - (f) sections 26 to 28 (road transport);
 - (g) sections 29 to 38 (harbours);
 - (h) section 39 (development consent for generating stations with 350MW capacity or less) for the purposes of Schedule 1 to the Wales Act 2017 (new Schedule 7A to the Government of Wales Act 2006^(b));
 - (i) sections 44 and 45 (equal opportunities);
 - (j) sections 46 and 47 (marine licensing and conservation);
 - (k) section 52 (water);

(a) 2017 c. 4.
(b) 2006 c. 32.

- (l) sections 53 to 58 (miscellaneous);
- (m) sections 65 to 68 (miscellaneous);
- (n) section 69(1) (consequential provision) in so far as it relates to the provisions in subparagraphs (q) and (r);
- (o) Schedule 3 (new Schedule 9A to the Government of Wales Act 2006);
- (p) Schedule 4 (new Schedule 3A to the Government of Wales Act 2006);
- (q) Schedule 6, Part 1 (amendments of the Government of Wales Act 2006); and
- (r) Schedule 6, Part 3 (other amendments) so far as not already in force, except for paragraphs 47 to 51, 61, 77, 78 and 81.

4. The following provisions of the Wales Act 2017 come into force on 1st October 2018—

- (a) sections 23 and 25 (onshore petroleum); and
- (b) Schedule 6, Part 2 (amendments relating to onshore petroleum).

5. The following provisions of the Wales Act 2017 come into force on 1st April 2019—

- (a) sections 39 to 42 (planning for electricity generating stations) so far as not already in force; and
- (b) Schedule 6, Part 3 (other amendments) so far as not already in force.

Alun Cairns

Secretary of State for Wales

Office of the Secretary of State for Wales

29th November 2017

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the fourth commencement Regulations made under the Wales Act 2017 (c. 4) (“the Act”).

Section 71 of the Act provides that section 3 and Schedules 1 and 2, which implement the new reserved powers model of devolution, come into force on the day appointed by the Secretary of State (“the Principal Appointed Day”). Regulation 2 provides that the Principal Appointed Day is 1st April 2018. In line with the requirements in section 71(3) of the Act, the Secretary of State has consulted with the Welsh Ministers and the Presiding Officer of the National Assembly for Wales before making these Regulations.

Section 71(4) of the Act provides that the Regulations made under section 71(3) may also appoint the date on which other provisions of the Act come into force. Regulation 3 commences the majority of the provisions of the Act on the same day as section 3 and Schedules 1 and 2, as they are directly linked to the reserved powers model of devolution provided for in section 3 of, and Schedules 1 and 2 to, the Act.

Regulation 4 provides that sections 23 and 25 of, and Part 2 of Schedule 6 are commenced on 1st October 2018.

Regulation 5 provides that sections 39 to 42 (so far as not already in force), and Part 3 of Schedule 6 (so far as not already in force) are commenced on 1st April 2019.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|------------------|-----------------------------|-----------------|
| Section 21 | 7th January 2018 | 2017/893 |

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|---------------------------|--------------------------------------|-----------|
| Section 24 | 6th March 2018 | 2017/1069 |
| Section 49 | 7th January 2018 | 2017/893 |
| Section 59 | See regulation 2 of S.I. 2017/351 | 2017/351 |
| Section 60 | See regulation 2 of S.I. 2017/351 | 2017/351 |
| Section 61 | See regulation 2 of S.I. 2017/351 | 2017/351 |
| Section 62 | See regulation 2 of S.I. 2017/351 | 2017/351 |
| Section 63 | See regulation 2 of S.I. 2017/351 | 2017/351 |
| Section 64 | See regulation 2 of S.I. 2017/351 | 2017/351 |
| Section 69(1) (partially) | See regulation 2 of S.I. 2017/351 | 2017/351 |
| Schedule 5 | See regulation 2 of S.I. 2017/351 | 2017/351 |
| Schedule 6 (partially) | See regulation 2 of S.I. 2017/351 | 2017/351 |

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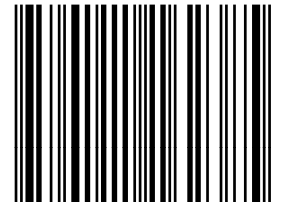
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