

## SCHEDULE 7

### REGULATIONS AND ORDERS MADE BY WELSH MINISTERS

#### *Orders under TCPA 1990*

- 6 (1) Section 333 of TCPA 1990 is amended as follows.
- (2) In subsection (4), after “power” insert “of the Secretary of State”.
- (3) For subsection (4A) substitute—
- “(4A) The power of the Welsh Ministers to make development orders and orders under sections 2(1B), 55(2)(f), 87(3), 149(3)(a), 293(1)(c) and 319B(9) is exercisable by statutory instrument.
- (4B) A development order made by the Welsh Ministers may make different provision for different purposes, for different cases (including different classes of development) and for different areas.”
- (4) In subsection (5)—
- (a) in paragraph (a), after “an order under” insert “subsection (1) of”;
- (b) in paragraph (b)—
- (i) after “a development order” insert “made by the Secretary of State”;
- (ii) after “an order” insert “made by the Secretary of State”;
- (iii) omit “(unless it is made by the National Assembly for Wales)”.
- (5) After subsection (5A) insert—
- “(5B) A statutory instrument containing any of the following is subject to annulment in pursuance of a resolution of the National Assembly for Wales—
- (a) an order under subsection (1B) of section 2 which has been made after a local inquiry has been held in accordance with subsection (2) of that section,
- (b) a development order made by the Welsh Ministers, or
- (c) an order under section 87(3) or 149(3)(a) made by the Welsh Ministers.
- (5C) The Welsh Ministers may not make a statutory instrument containing an order under section 62L(9), 293(1)(c) or 319B(9) unless a draft of the instrument has been laid before and approved by resolution of the National Assembly for Wales.”
- (6) In subsection (6)—
- (a) after “subsection (5)” insert “or (5B)”;
- (b) after “each House of Parliament” insert “(in the case of an order made by the Secretary of State) or the National Assembly for Wales (in the case of an order made by the Welsh Ministers)”.