
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Planning (Hazardous Substances) Act 1990. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULE

DETERMINATION OF APPEALS BY PERSON APPOINTED BY SECRETARY OF STATE

Supplementary provisions

- 7 (1) The Tribunals and Inquiries Act [^{F1}1992] shall apply to a local inquiry or other hearing held in pursuance of this Schedule as it applies to a statutory inquiry held by the Secretary of State, but as if in [^{F2}section 10(1)] of that Act (statement of reasons for decisions) the reference to any decision taken by the Secretary of State were a reference to a decision taken by an appointed person.
- (2) Where an appointed person is an officer of [^{F3}the Department for Levelling Up, Housing and Communities] or the Welsh Office the functions of determining an appeal and doing anything in connection with it conferred on him by this Schedule shall be treated for the purposes of the ^{M1}Parliamentary Commissioner Act 1967—
- (a) if he was appointed by the Secretary of State for the time being having general responsibility in planning matters in relation to England, as functions of that Department; and
 - (b) if he was appointed by the Secretary of State for the time being having general responsibility in planning matters in relation to Wales, as functions of the Welsh Office.

Textual Amendments

- F1** Words in Sch. 3 para. 7(1) substituted (1.10.1992) by [Tribunals and Inquiries Act 1992 \(c. 53, SIF 127\)](#), ss. 18(1), 19(2), [Sch. 3 para. 34\(a\)](#)
- F2** Words in Sch. para. 7(1) substituted (1.10.1992) by [Tribunals and Inquiries Act 1992 \(c. 53, SIF 127\)](#), ss. 18(1), 19(2), [Sch. 3 para. 34\(b\)](#)
- F3** Words in Sch. para. 7(2) substituted (8.12.2021) by [The Transfer of Functions \(Secretary of State for Levelling Up, Housing and Communities\) Order 2021 \(S.I. 2021/1265\)](#), art. 1(2), [Sch. 2 para. 8](#) (with art. 12)

Commencement Information

- I1** Sch. para. 7 wholly in force at 1.6.1992 see S.I. 1992/725, art. 3; Sch. para. 7 in force for certain purposes at 11.3.1992 see S.I. 1992/725, art. 2

Marginal Citations

- M1** 1967 c. 13.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3(4A) inserted by [2023 c. 55 Sch. 17 para. 4\(b\)](#)
- s. 9(2)(ca) inserted by [2023 c. 55 Sch. 6 para. 14](#)
- s. 10(4) inserted by [2023 c. 55 s. 124\(6\)](#)
- s. 20(4A) inserted by [2008 c. 29 Sch. 10 para. 26](#)
- s. 21(5A) inserted by [2008 c. 29 Sch. 10 para. 27](#)
- s. 37(3) inserted by [2008 c. 29 Sch. 10 para. 29](#)
- s. 37(5) inserted by [2023 c. 55 s. 124\(7\)\(b\)](#)
- Sch. para. 2(4A) inserted by [2008 c. 29 Sch. 10 para. 30\(2\)](#)
- Sch. para. 2(9) inserted by [2008 c. 29 Sch. 10 para. 30\(3\)](#)
- Sch. para. 3(4A)(4B) inserted by [2008 c. 29 Sch. 10 para. 30\(4\)](#)
- Sch. para. 6(1A) inserted by [2008 c. 29 Sch. 10 para. 30\(6\)](#)