



Wales Act 2017

2017 CHAPTER 4

PART 2

LEGISLATIVE AND EXECUTIVE COMPETENCE: FURTHER PROVISION

Planning for electricity generating stations

42 Overhead lines associated with devolved Welsh generating stations

(1) Section 37 of the Electricity Act 1989 (consent required for overhead lines) is amended as set out in subsection (2) and (3).

(2) In subsection (1), for ““(2)”” substitute “(2A)”.

(3) After subsection (2) insert—

“(2A) Subsection (1) above shall not apply in relation to an electric line that—

- (a) has a nominal voltage of 132 kilovolts or less, and
- (b) is associated with the construction or extension of a devolved Welsh generating station granted planning permission or consented to on or after the day on which section 39 of the Wales Act 2017 comes into force.

(2B) ““Devolved Welsh generating station”” means a generating station that—

- (a) is in Wales and—
 - (i) generates electricity from wind, or
 - (ii) has a maximum capacity of 350 megawatts or less; or
- (b) is in Welsh waters and has a maximum capacity of 350 megawatts or less.

(2C) ““Welsh waters”” has the meaning given in section 36 above.”

(4) In section 16 of the Planning Act 2008 (electric lines), after subsection (3A) insert—

Changes to legislation: *Wales Act 2017, Section 42 is up to date with all changes known to be in force on or before 06 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

“(3B) The installation of an electric line above ground is not within section 14(1) (b) if the line is associated with the construction or extension of a devolved Welsh generating station granted planning permission or consented to on or after the day on which section 39 of the Wales Act 2017 comes into force and the nominal voltage of the line is expected to be no greater than 132 kilovolts.

(3C) ““Devolved Welsh generating station”” means a generating station that—

- (a) is in Wales and—
 - (i) generates electricity from wind, or
 - (ii) has a capacity of 350 megawatts or less; or
- (b) is in waters adjacent to Wales up to the seaward limits of the territorial sea or in the Welsh zone and has a capacity of 350 megawatts or less.

(3D) ““Welsh zone”” has the meaning given in section 158 of the Government of Wales Act 2006.”

Commencement Information

- I1** S. 42(4) in force for specified purposes at 31.3.2017, see s. 71(2)(e)
- I2** S. 42(1)-(3) in force at 1.4.2019 by S.I. 2017/1179, reg. 5(a)
- I3** S. 42(4) in force at 1.4.2019 in so far as not already in force by S.I. 2017/1179, reg. 5(a)

Changes to legislation:

Wales Act 2017, Section 42 is up to date with all changes known to be in force on or before 06 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- specified provision(s) transitional and savings provisions for commencing S.I. 2017/1179 by [S.I. 2018/278](#) [reg. 2](#)[Sch.](#)