WELSH STATUTORY INSTRUMENTS

2012 No. 283 (W.47)

ENVIRONMENTAL PROTECTION, WALES

The Contaminated Land (Wales) (Amendment) Regulations 2012

Made - - - -	*3 February 2012*
Laid before the National Assembly for Wales - -	*7 February 2012*
Coming into force - -	*6 April 2012*

The Welsh Ministers make these Regulations in exercise of the powers conferred by sections 78C(8), (9) and (10), 78G(5) and (6) and 78L(4) and (5) of the Environmental Protection Act 1990(**1**) and now vested in them(**2**).

Before making these Regulations, the Welsh Ministers have consulted the Administrative Justice and Tribunals Council, and that Council has consulted the Welsh Committee and the Scottish Committee, in accordance with section 44 of, and paragraph 24 of Schedule 7 to, the Tribunals, Courts and Enforcement Act 2007(**3**).

Title, commencement and application

1.—(1) The title of these Regulations is the Contaminated Land (Wales) (Amendment) Regulations 2012 and they come into force on 6 April 2012.

(2) These Regulations apply in relation to Wales.

Amendments to the Contaminated Land (Wales) Regulations 2006

2.—(1) The Contaminated Land (Wales) Regulations 2006(**4**) are amended as follows.

(2) In regulation 3 (pollution of controlled waters)—

(**1**) 1990 c. 43. Sections 78C, 78G and 78L were inserted by section 57 of the Environment Act 1995 (c. 25). Section 78C(10) is prospectively amended by section 86 of the Water Act 2003 (c. 37). Section 78L(4) was amended by section 104 of, and Part 10 of Schedule 5 to, the Clean Neighbourhoods and Environment Act 2005 (c. 16). See the definition of "prescribed" and "regulations" in section 78A(9).

(**2**) The functions of the Secretary of State under sections 78C, 78G and 78L of the Environmental Protection Act 1990, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by virtue of article 2 of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32) those functions were subsequently transferred to the Welsh Ministers.

(**3**) 2007 c. 15. The "Welsh Committee" and the "Scottish Committee" are defined in paragraph 28(1) of Schedule 7 to that Act.

(**4**) S.I. 2006/2989 (W. 278), to which there are amendments not relevant to these Regulations.