WELSH STATUTORY INSTRUMENTS

2002 No. 2780 (W.264)

TRIBUNALS AND INQUIRIES, WALES

The Fees for Inquiries (Standard Daily Amount) (Wales) Regulations 2002

Made - - - -	*8th November 2002*
Coming into force - -	*29th November 2002*

The National Assembly for Wales, in exercise of the powers conferred by section 42(4) of the Housing and Planning Act 1986(**1**) on any Minister authorised, under or by virtue of those statutory provisions specified in section 42(1) of that Act or to which that section is applied(**2**), to recover costs incurred by the Minister in relation to an inquiry, which powers are now exercisable by the National Assembly for Wales(**3**) in relation to Wales, hereby makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Fees for Inquiries (Standard Daily Amount) (Wales) Regulations 2002 and come into force on the 29th November 2002.

(2) These Regulations apply to Wales.

Inquiries to which these Regulations apply

2. These Regulations apply to inquiries in relation to which the National Assembly for Wales is entitled to recover its costs under or by virtue of the following provisions, namely—

(**1**) 1986 c. 63. Section 42(1)(b) was repealed by Part I of Schedule 3 to the Water Consolidation (Consequential Provisions) Act 1991 (c. 60) and section 42(1)(d) was repealed by Part II of Schedule 12 to the Local Government and Housing Act 1989 (c. 42).

(**2**) Section 69(7) of the Land Drainage Act 1991 provides that section 42 of the Housing and Planning Act 1986 shall apply where either of "the Ministers" is duly authorised to recover costs incurred by that Minister as it applies where a Minister is so authorised by virtue of any enactment specified in section 42(1) of the 1986 Act. Section 69(5) of the 1991 Act authorises either of "the Ministers", i.e. the Secretary of State or the Minister of Agriculture, Fisheries and Food (*see* section 72(1) of the 1991 Act for the definition of "the Ministers") to recover costs incurred by that Minister in relation to an inquiry held by the Minister. The powers of the Secretary of State were transferred, in so far as exercisable in relation to Wales, to the National Assembly for Wales by Article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(**3**) Under the provisions of Article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/253 (W.5)) the powers of a Minister under section 42 of the Housing and Planning Act 1986 are exercisable, in relation to Wales, by the National Assembly for Wales, concurrently with any Minister of the Crown by whom they are exercisable.