

PLANNING (CONSEQUENTIAL PROVISIONS) (WALES) BILL

EXPLANATION OF CHANGES MADE TO EXISTING PROVISIONS WITHIN THE PLANNING (CONSEQUENTIAL PROVISIONS) (WALES) BILL

Introduction

1. This explanation of changes made to existing provisions (known as “Drafters’ Notes”) is for the Planning (Consequential Provisions) (Wales) Bill introduced into the Senedd on 15 September 2025 (referred to in this document as the “Consequential Provisions Bill”). It has been prepared by the Welsh Government’s Office of the Legislative Counsel under Standing Order 26C.9(v).
2. The Consequential Provisions Bill has been introduced as a consolidation Bill under the procedure in Standing Order 26C. It has been introduced alongside the Planning (Wales) Bill (“the principal Bill”). That Bill is a consolidation Bill that restates existing primary and secondary legislation relating to planning and incorporates some related case law and practice. The Consequential Provisions Bill makes consequential amendments and repeals of existing legislation, and transitional and saving provision, in connection with the principal Bill. It also makes a small number of amendments to enactments in connection with the consolidation of legislation relating to the historic environment by the Historic Environment (Wales) Act 2023.
3. Where relevant, these Drafters’ Notes explain how the Consequential Provisions Bill:
 - clarifies the application or effect of existing law;
 - removes or omits provisions that are obsolete, spent or no longer of practical utility or effect; and
 - makes minor changes to existing law for the purposes of achieving a satisfactory consolidation.

4. These Drafters' Notes should be read with the Drafters' Notes for the principal Bill. Where the Consequential Provisions Bill repeals a provision of existing legislation that is restated in the principal Bill without any changes that fall within Standing Order 26C.2(ii) to (v), no explanation is provided in either set of Drafters' Notes. Where the Consequential Provisions Bill repeals a provision of existing legislation and that provision is either restated in the principal Bill with such changes or omitted from the principal Bill, the change or omission is explained in the Drafters' Notes for the principal Bill.
5. The changes explained in these Drafters' Notes are those that are not otherwise explained in the Drafters' Notes for the principal Bill, for example: where a change made in the principal Bill requires the Consequential Provisions Bill to make a corresponding change to another enactment; where the Consequential Provisions Bill corrects an error or anomaly in how another enactment interacts with the legislation that is being consolidated in the principal Bill; or where it moves a provision from planning legislation to another enactment.
6. In preparing the Consequential Provisions Bill, account has been taken of the *Guidance to support the operation of Standing Order 26C on Consolidation Bills* that was issued by the Llywydd under Standing Order 26C.3 in October 2021.

Notes on specific provisions of the Bill

7. The table below explains changes that have been made by specific provisions in Schedules 2 and 3 to the Bill. The table uses the following abbreviations to refer to existing legislation:

<i>When listing existing enactments</i>	<i>When explaining changes made by the Bill</i>	
1961	1961 Act	Land Compensation Act 1961 (c. 33)
1972	1972 Act	Local Government Act 1972 (c. 70)
1980 LG	-	Local Government, Planning and Land Act 1980 (c. 65)
1980	1980 Act	Highways Act 1980 (c. 66)
1981	1981 Act	Wildlife and Countryside Act 1981 (c. 69)

1990	1990 Act	Town and Country Planning Act 1990 (c. 8)
-	Listed Buildings Act	Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)
1990 HS	Hazardous Substances Act	Planning (Hazardous Substances) Act 1990 (c. 10)
1991	1991 Act	Planning and Compensation Act 1991 (c. 34)
2004	2004 Act	Planning and Compulsory Purchase Act 2004 (c. 5)
-	2015 Act	Planning (Wales) Act 2015 (anaw 4)
2023	2023 Act	Historic Environment (Wales) Act 2023 (asc 3)
-	SI 2005/2839	Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (SI 2005/2839 (W 203))
-	SI 2012/2920	Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (SI 2012/2920)
-	SI 2014/2773	Town and Country Planning (Determination of Procedure) (Wales) Order 2014 (SI 2014/2773 (W 280))
-	SI 2015/1597	Planning (Hazardous Substances) (Wales) Regulations 2015 (SI 2015/1597 (W 196))
-	SI 2021/360	Town and Country Planning (Strategic Development Plan) (Wales) Regulations 2021 (SI 2021/360 (W 109))
LC 383	LC 383	Law Commission, <i>Planning Law in Wales: Final Report</i> (Law Com No 383, November 2018)

Provision of the Bill	Existing enactment	Description of change	SO 26C.2 grounds	Additional information
<i>Schedule 2 – Amendments to other Acts of the United Kingdom Parliament</i>				
Para 1 to 3	1990, s. 328	Section 328 of the 1990 Act, authorising funds relating to settled land to be used to pay compensation recoverable under sections 111 and 112 of the 1990 Act, moved to sections 71 and 73 of the 1925 Act.	26C.2(ii)	Section 328 is about the scope of powers in the Settled Land Act 1925. Settled land is rare, and becoming rarer following the Trusts of Land and Appointment of Trustees Act 1996, so it is appropriate for the provisions to sit in the 1925 Act.
Para 7 and 9	National Parks and Access to the Countryside Act 1949, s. 4A and 9	Section 9 of the 1949 Act, which requires consultation with Natural England or Natural Resources Wales (NRW) in preparing a development plan, disapplied in relation to Wales.	26C.2(iii)	Avoids duplicating the general consultation arrangements for each type of plan. The general requirements for local and strategic development plans are in SI 2005/2839 and SI 2021/360, and include consultation with NRW. The arrangements for the National Development Framework are set out in the statement of public participation and involve consulting all stakeholders including NRW. This change is consistent with LC 383 Rec. No. 8-28(1) (relating to consultation on applications).
Para 35(c)	1990, s. 191(7)(a)	Provision that a certificate of lawfulness is to be treated as planning permission for the purposes of Part 1 of the Caravan Sites and Control of Development Act 1960 moved from the 1990 Act to section 29 of the 1960 Act.	26C.2(ii)	The provision is about the meaning of references to planning permission in Part 1 of the 1960 Act, so it is appropriate for it to be in the interpretation section for that Part.

Provision of the Bill	Existing enactment	Description of change	SO 26C.2 grounds	Additional information
Para 43	1961, s. 20	Power for a development order to make procedural provision (in relation to applications for certificates of appropriate alternative development) replaced with power to make provision in regulations.	26C.2(ii)	Reflects changes made in Chapters 5 and 6 of Part 3 of the principal Bill. Under those Chapters, procedural provision relating to planning applications will be made in regulations rather than a development order.
Para 44(b)	1961, s. 38(2)	Provision about how a document must be marked as an important communication set out on the face of section 38 of the 1961 Act instead of by referring to provision made by regulations under the 1990 Act.	26C.2(iv)	Consequential on change made in section 399 of the principal Bill, where the provision has also been moved from regulations to the face of the section.
Para 48	Pipe-lines Act 1962, s. 5	Power to direct that planning permission is deemed to be granted (when authorising construction of a pipeline or requiring removal of works) replaced with power to direct that permission is granted.	26C.2(iv)	Reflects changes made in Chapter 8 of Part 3 of the principal Bill, which restates the powers to give similar directions in section 90 of the 1990 Act. See the introduction to the Drafters' Notes for the principal Bill.
Para 86	Post Office Act 1969, Sch. 4 para 93	Disapplication of provisions that deem universal postal service providers to be statutory undertakers, and their undertakings to be statutory undertakings, for the purposes of certain Acts.	26C.2(ii)	Consequential on the change of approach in section 303 of the principal Bill, which includes universal postal service providers in the definition of "statutory undertaker" rather than "deeming" them to be statutory undertakers as section 262 of the 1990 Act does. The Acts in question are ones in which "statutory undertaker" has same meaning as in the 1990 Act. In relation to Wales, those Acts are being amended to apply the

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				definition in the principal Bill, so the deeming provisions are no longer needed.
Para 89(b) and 90(b)	1972, s. 122(2) and 126(4)	Definitions of “common” and “fuel or field garden allotment” restated in sections 122 and 126 of the 1972 Act, instead of giving those terms the meanings they have in section 229 of the 1990 Act (which are set out in section 336(1) of the 1990 Act).	26C.2(ii)	Simplifies the provisions. The definitions are quite short, and Part 10 of the principal Bill uses the term “allotment” instead of “fuel or field garden allotment”, so applying the definitions in section 279 of the principal Bill would be more complicated.
Para 96	Land Compensation Act 1973, s. 5	Amendment of planning assumptions to be made when assessing compensation for depreciation caused by public works, so that they do not refer to planning permission for development of the descriptions specified in Schedule 3 to the 1990 Act or to the conditions in Schedule 10 to that Act.	26C.2(iii)	Reflects the omission of Schedules 3 and 10 to the 1990 Act from the principal Bill. See the entry for Schedules 3 and 10 in the “omitted provisions” section of the Drafters Notes for the principal Bill.
Para 120	2004, s. 38(1) and (7).	Insertion of provision applying the definition of “the development plan” in section 10 of the principal Bill to paragraph 1 of the Schedule to the Inner Urban Areas Act 1978.	26C.2(ii)	Reflects the omission from the principal Bill of section 38(1) and (7) of the 2004 Act, so far as they apply the definition of “the development plan” to “any other enactment relating to town and country planning”. The only such enactment for which section 38(1) and (7) seem necessary is the 1978 Act, so the amendment restates them in that Act. See also the Drafters' Notes for section 10 of the principal Bill.

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Para 126	1980 LG, s. 149	Removal of power for the Welsh Ministers to provide that an urban development corporation for an area in Wales is to be the local planning authority for its area.	26C.2(iii)	The power has never been used and the Welsh Government does not consider that there is any likelihood of it being used in future. Removing the power gives effect to LC 383 Rec. No. 5-12.
Para 136	1980, s. 105ZA(1) (definition of "sensitive area")	Removal of word "General" from reference to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.	26C.2(iii)	Corrects a mistake. The word does not appear in the title of the Order and was included in error.
Para 138	1980, s. 115H(1)(ii)	Removal of reference to a local planning authority "as defined in the Town and Country Planning Act 1990".	26C.2(iii)	Removes unnecessary duplication. Section 329(1) of the 1980 Act already provides that "local planning authority" in the 1980 Act has the same meaning as in the 1990 Act.
Para 139	1980, s. 121(5F)	Reinstatement of provision that the power in section 250(2) and (3) of the 1972 Act to require a person to give evidence applies to a hearing held under section 250(5A) of the 1980 Act.	26C.2(iv)	Corrects a mistake in the 2015 Act. Paragraph 2 of Schedule 5 to that Act amended section 121 to reflect a change in the Welsh Ministers' powers to award costs, but inadvertently disapplied section 250(2) and (3) of the 1972 Act in relation to Wales.
Para 153	1980, Sch. 6 para 2B	Reinstatement of provision that the power in section 250(2) and (3) of the 1972 Act to require a person to give evidence applies to a hearing held under paragraph 2B of Schedule 6 to the 1980 Act. Amendment of provision about power to award costs to	26C.2(iv)	Corrects errors in the 2015 Act. Paragraph 3 of Schedule 5 to that Act amended paragraph 2B of Schedule 6 to the 1980 Act to reflect a change in the Welsh Ministers' powers to award costs, but inserted an incorrect cross-reference and inadvertently

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		refer correctly to the provision under which an inquiry or hearing is held.		disapplied section 250(2) and (3) of the 1972 Act in relation to Wales.
Para 178(c) and 180(c)	1981, s. 28F and 28L	Reinstatement of provision that the power in section 250(2) and (3) of the 1972 Act to require a person to give evidence applies to a hearing or local inquiry held under section 28F or 28L of the 1981 Act.	26C.2(iv)	Corrects a mistake in the 2015 Act. Paragraphs 5 and 6 of Schedule 5 to that Act amended sections 28F and 28L to reflect a change in the Welsh Ministers' powers to award costs, but inadvertently disapplied section 250(2) and (3) of the 1972 Act in relation to Wales.
Para 187(a)	1981, Sch. 15 para 10A	Reinstatement of provision that the power in section 250(2) and (3) of the 1972 Act to require a person to give evidence applies to a hearing or local inquiry held under paragraph 7 or 8 of Schedule 15 to the 1981 Act.	26C.2(iv)	Corrects a mistake in the 2015 Act. Paragraph 7 of Schedule 5 to that Act amended paragraph 10A of Schedule 15 to the 1981 Act to reflect a change in the Welsh Ministers' powers to award costs, but inadvertently disapplied section 250(2) and (3) of the 1972 Act in relation to Wales.
Para 193	Civil Aviation Act 1982, Sch. 2 para 4	Disapplication of provisions that deem the Civil Aviation Authority to be a statutory undertaker, and its undertaking to be a statutory undertaking, for the purposes of certain Acts.	26C.2(ii)	Consequential on the change of approach in section 303 of the principal Bill, which includes the Civil Aviation Authority in the definition of "statutory undertaker" rather than "deeming" it to be a statutory undertaker as section 262 of the 1990 Act does. See notes on paragraph 86 of Schedule 2 to this Bill (relating to the corresponding change in relation to universal postal service providers).

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Para 211	Housing Act 1985, s. 573(1) and (1A)	Removal of reference to “a Welsh planning board” from definition of “public sector authority” (and consequential removal of definition of “a Welsh planning board”).	26C.2(iii)	The definition no longer needs to mention a Welsh planning board. Since 1995, the definition of “a Welsh planning board” has only included joint planning boards. Joint boards are included separately in the definition of “public sector authority”.
Para 220	Water Act 1989, Sch. 25 para 1	Disapplication of provisions that deem water and sewerage undertakers, Natural Resources Wales and the Environment Agency to be statutory undertakers, and their undertakings to be statutory undertakings, for the purposes of certain Acts.	26C.2(ii)	Consequential on the change of approach in section 303 of the principal Bill, which includes all of these bodies in the definition of “statutory undertaker” rather than “deeming” them to be statutory undertakers as section 262 of the 1990 Act does. See notes on paragraph 86 of Schedule 2 to this Bill (relating to the corresponding change in relation to universal postal service providers).
Para 226	Electricity Act 1989, Sch. 16 para 1	Disapplication of provisions that deem electricity licensees to be statutory undertakers, and their undertakings to be statutory undertakings, for the purposes of certain Acts.	26C.2(ii)	Consequential on the change of approach in section 303 of the principal Bill, which includes electricity licensees in the definition of “statutory undertaker” rather than “deeming” them to be statutory undertakers as section 262 of the 1990 Act does. See notes on paragraph 86 of Schedule 2 to this Bill (relating to the corresponding change in relation to universal postal service providers).

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Para 228	Local Government and Housing Act 1989, s. 13(9)	Amendment of definition of “relevant authority” to replace cross-references to paragraphs of section 21(1) of the 1989 Act (that lists types of local authority).	26C.2(ii)	Clarifies which paragraphs are referred to. The cross-references were amended by both the 2015 Act and the Cities and Local Government Devolution Act 2016, and the order in which the amendments were brought into force may have left uncertainty about the resulting wording.
Para 236 and 237	1990 HS, s. 1 and 3	Provisions of the Hazardous Substances Act about hazardous substances authorities in Wales replaced with a new section 3A that provides that references to hazardous substances authorities are to be read as references to planning authorities.	26C.2(ii)	The amendment to section 149 of the Local Government, Planning and Land Act 1980 in paragraph 126 of Schedule 2 to this Bill means that the hazardous substances authority for an area in Wales is always the planning authority. The concept of the hazardous substances authority is therefore no longer needed in Wales and is removed by these amendments.
Para 240 and 242	2004, s. 38(6) and (7)	Duty to determine applications for hazardous substances consent in accordance with the development plan moved from section 38(6) of the 2004 Act to sections 9 and 18 of the Hazardous Substances Act.	26C.2(ii)	Reflects the approach taken in the principal Bill, which restates the duty to make determinations in accordance with the development plan separately in the provisions about each type of determination.
Para 247	1990 HS, s. 25	Power for regulations to make provision about contravention notices amended to say that the regulations can “reproduce” the provisions about planning enforcement	26C.2(ii), (iv)	Clarifies that the regulations do not have to make provision only by applying the provisions of the principal Bill with modifications (which would be extensive:

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		notices as an alternative to “applying” those provisions with modifications.		see SI 2015/1597). Makes the powers more consistent with current legislative practice.
Para 248(b)	1990 HS, s. 26A	Inclusion of power for regulations to require the payment of a fee where a person appeals against a hazardous substances contravention notice on the ground that hazardous substances consent should be granted.	26C.2(iv)	Regulations under section 26A(2) may impose fees for applications for consent that are deemed to be made by virtue of regulations under section 25 that apply section 177 of the 1990 Act. The principal Bill no longer provides for deemed applications (see section 133 of that Bill), so regulations made by the Welsh Ministers under section 26 will not do so either. This change corresponds to the change made in section 364(4) of the principal Bill.
Para 262(a)	1991, Sch. 18	List of rights to compensation that carry interest amended to include right to compensation under section 142(4) of the 2023 Act (where rights of way are extinguished or apparatus is removed on the compulsory acquisition of a listed building).	26C.2(iv)	Corrects an omission in the amendments made by the 2023 Act. As stated in the Drafters' Notes for paragraph 161 of Schedule 13 to that Act, the amendments that it made to Schedule 18 were intended to ensure that the list included all rights to compensation under the 2023 Act.
Para 262(b)	1991, Sch. 18	List of rights to compensation that carry interest amended to include all rights to compensation under the principal Bill (except any right to compensation under CIL regulations for loss caused by enforcement action under the regulations).	26C.2(iv)	Removes gaps and anomalies. In some cases, consequential amendments that should have been made to add new rights to compensation to the list in Schedule 18 have been missed; in the others, no reason has been identified for the omission of a right.

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				Compensation under CIL regulations is not added to the list because it is unclear in what circumstances the enforcement system for the levy might include rights to compensation and whether it would be appropriate for any such rights to be listed. If necessary, they could be added to the list by order under section 80(4) of the 1991 Act.
Para 295	Deregulation and Contracting Out Act 1994, s. 79B(e)	Removal of reference to a joint planning board the from definition of a "local authority" in Wales.	26C.2(iii)	The definition of "local authority" does not need to mention joint planning boards, because section 79(3) of the 1994 Act provides for references to local authorities to have effect as if they included those boards.
Para 314(b)	Gas Act 1995, Sch. 4 para 2	Disapplication of provisions that deem gas transporters to be statutory undertakers, and their undertakings to be statutory undertakings, for the purposes of certain Acts.	26C.2(ii)	Consequential on the change of approach in section 303 of the principal Bill, which includes gas transporters in the definition of "statutory undertaker" rather than "deeming" them to be statutory undertakers as section 262 of the 1990 Act does. See notes on paragraph 86 of Schedule 2 to this Bill (relating to the corresponding change in relation to universal postal service providers).
Para 315	Petroleum Act 1998, s. 4A(5)	Condition requiring public notice of a planning application amended so that the evidence that is sufficient to show the condition has been met is a pre-application consultation report under Chapter 4 of Part	26C.2(ii)	Reflects changes to notification requirements in Part 3 of the principal Bill. The changes to those requirements reflect how the existing legislation operates (see also the Drafters' Notes for Chapters 4 to 6

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		3 of the principal Bill (instead of notice that the applicant has certified compliance with requirements in a development order).		of Part 3 of the principal Bill). Requirements for applicants to publicise planning applications are only imposed as part of pre-application consultation under section 61Z of the 1990 Act, rather than by a development order under section 65(1) and (3).
Para 326	Transport Act 2000, Sch. 5 para 1	Disapplication of provisions that deem air traffic licensees to be statutory undertakers, and their undertakings to be statutory undertakings, for the purposes of certain Acts.	26C.2(ii)	Consequential on the change of approach in section 303 of the principal Bill, which includes air traffic licensees in the definition of "statutory undertaker" rather than "deeming" them to be statutory undertakers as section 262 of the 1990 Act does. See notes on paragraph 86 of Schedule 2 to this Bill (relating to the corresponding change in relation to universal postal service providers).
Para 390	Planning Act 2008, s. 203(2)	Repeal of power for the Welsh Ministers to make provision corresponding to the following provisions of the 2008 Act: (a) section 194(1) and Schedule 9; (b) paragraphs 2(3) and (4) and 3(3) of Schedule 7.	26C.2(iii)	The powers can no longer be used because: (a) section 194(1) of the 2008 Act and Schedule 9 have been repealed; (b) paragraphs 2 and 3 of Schedule 7 amended provisions that have not been brought into force in Wales and are not restated in the principal Bill.
<i>Schedule 3 – Amendments to Assembly Measures and Acts of Senedd Cymru</i>				
Para 4(b)	1990, s. 191(7)(a)	Provision that a certificate of lawfulness is to be treated as planning permission for the	26C.2(ii)	The provision is about the meaning of references to planning permission in Part 2

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		purposes of Part 2 of the 2013 Act moved from the 1990 Act to the 2013 Act.		of the 2013 Act, so it is appropriate for it to be in the interpretation section for that Part.
Para 42	2023, s. 58(2)(b)	Correction of incorrect cross-reference.	26C.2(iv)	Corrects a mistake.
Para 46	2023, s. 91	References to a “certificate” confirming compliance with notice requirements replaced with references to a “declaration”.	26C.2(ii)	Makes the wording consistent with the language used in section 58 of the principal Bill and with usual legislative practice. “Certificates” are usually authoritative documents issued by public authorities.
Para 47 and 48	2023, s. 96(2)(b) and 114(6)(b)	Amendment of Welsh language text to change the word corresponding to English references to the “setting” of a building.	26C.2(ii)	The word “ <i>gosodiad</i> ” is considered to convey the intended meaning better than “ <i>safle</i> ” and is used in section 404 of the principal Bill.
Para 50	2023, s. 128(6)	Provision making certain decisions on enforcement appeals “final” amended to apply only to decisions to grant consent (or remove conditions of a consent).	26C.2(ii)	Aligns the wording of section 128(6) more closely with the language of section 41(7) of the Listed Buildings Act, which it restates.
Para 56(a) and 59	2023, s. 167(2) and 172(3)	Provisions giving examples of types of provision that may be made by fees regulations amended to state that the regulations may make provision about setting the amounts of fees as well as about the calculation of fees.	26C.2(ii)	Ensures that the provisions more accurately reflect the scope that the powers they restate (in sections 303 and 303ZA of the 1990 Act) are understood to have. Clarifies that the regulations may make provision of the kind mentioned in LC 383 Rec. No. 18-9, as has already been done in England (see regulation 2B of SI 2012/2920). Ensures consistency with the powers in sections 360 and 364 of the principal Bill.

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Para 56(b)	2023, s. 167(2)(g)	Repeal of provision stating that regulations about fees may make provision about the transfer of fees between planning authorities.	26C.2(iii)	The provision is no longer required and should have been omitted. It is only relevant in areas where there is more than one planning authority, which is possible in England but not in Wales.
Para 60	2023, s. 173(4)	Repeal of provision stating that the section that provides for appeals to be determined by appointed persons does not affect the fact that appeals are to be made to the Welsh Ministers.	26C.2(iii)	The provision restates paragraph 1(4) of Schedule 3 to the Listed Buildings Act but is considered unnecessary because it only applies where an appeal has been made to the Welsh Ministers. The principal Bill does not restate the equivalent provision in paragraph 1(4) of Schedule 6 to the 1990 Act.
Para 61	2023, s. 182(3)	Descriptions of certain orders that may only be challenged by statutory review amended to indicate that this is the case whether before or after the order is made.	26C.2(iv)	Corrects a mistake in section 182(3) and ensures that the 2023 Act accurately restates section 62(1)(a) of the Listed Buildings Act.
Para 62 and 63	2023, s. 197(1)(b) and 199(3)(b)	Powers to require information about land amended to refer to the “postal” address of a person having an interest in land.	26C.2(ii)	Reinstates wording included in section 330(2) of the 1990 Act to ensure the meaning is clear and to be consistent with sections 383 and 385 of the principal Bill.
Para 64(b)	2023, s. 210	Insertion of definition of “mortgage” in general interpretation section of the 2023 Act.	26C.2(iv)	Corrects a mistake in the Listed Buildings Act that should have defined “mortgage” or applied the definition in the 1990 Act, in order to accurately restate the law under the Town and Country Planning Act 1971.

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Para 65	2023, Sch. 2 para 6	Amendment of provision treating an appointed person as part of the Welsh Government for the purposes of the Public Services Ombudsman (Wales) Act 2019, so that it is not limited to cases where the appointed person is a member of staff.	26C.2(iv)	Removes an anomaly and makes the provision consistent with paragraph 6(2) of Schedule 20 to the principal Bill. An appointed person acts on behalf of the Welsh Ministers, so it should not matter whether they are a civil servant.
Para 66	2023, Sch. 9 para 3(3)	Provision about disputed purchase notices amended so that, if a person who is notified of the Welsh Ministers' proposed action requests a hearing, all of the persons who were notified are entitled to be heard (not only the person who requested a hearing).	26C.2(iv)	Corrects a mistake in paragraph 3(3) of Schedule 9 to the 2023 Act and ensures that it accurately restates section 34(4) of the Listed Buildings Act.
Para 67(2)	2023, Sch. 12 para 2(2)	Amendment of provision treating references to the Welsh Ministers as references to appointed persons, so that the section of the 2023 Act to which it does not apply is section 173 rather than section 174.	26C.2(iv)	Corrects a mistake in paragraph 2(2) of Schedule 12 to the 2023 Act. Appointed persons do exercise functions under section 174 of choosing the procedure for an appeal but not functions under section 173 of deciding whether an appeal is determined by an appointed person.
Para 67(3)	2023, Sch. 12 para 3	Insertion of provision stating that the costs of a hearing held by an appointed person are to be met by the Welsh Ministers.	26C.2(iv)	Reinstates the provision made by paragraph 6(3) of Schedule 3 to the Listed Buildings Act that was omitted from Schedule 12 to the 2023 Act.
Para 67(4)	2023, Sch. 12 para 5(4)	Repeal of provision that purports to exclude a person's right to request a hearing when the Welsh Ministers decide to determine an appeal themselves.	26C.2(iii)	The provision is no longer required and should have been omitted. The right to insist on a hearing was removed by SI

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				2014/2773, the relevant provisions of which are restated in section 174 of the 2023 Act.
Para 67(5)	2023, Sch. 12 para 6(3)	Correction of incorrect cross-reference.	26C.2(iv)	Corrects a mistake.
Para 67(6)	2023, Sch. 12 para 7(2)	Amendment of provision treating an appointed person as part of the Welsh Government for the purposes of the Public Services Ombudsman (Wales) Act 2019, so that it is not limited to cases where the appointed person is a member of staff.	26C.2(iv)	Removes an anomaly and makes the provision consistent with paragraph 6(2) of Schedule 20 to the principal Bill. See notes on paragraph 65 of Schedule 3 to this Bill.