

SCHEDULE 1

FUNCTIONS OF THE NATURAL RESOURCES BODY FOR WALES

18. After article 15 insert—

“PART 4 —

INFORMATION ABOUT PERMITTING DECISIONS

Interpretation

16. In this Part—

“permit” (*“hawlen”*) means any registration, exemption, approval, permission, licence, consent, assent or other authorisation, however described;

“permitting decision” (*“penderfyniad ynghylch hawlenni”*) means any decision to—

- (a) grant or refuse an application for a permit;
- (b) suspend, vary or revoke a permit.

Information publication schemes

17.—(1) The Body must—

- (a) develop, adopt and maintain a scheme (in this article referred to as a “publication scheme”) in relation to the publication of information about—
 - (i) applications for permits made to the Body; and
 - (ii) permitting decisions made by the Body;
- (b) publish information in accordance with its publication scheme;
- (c) from time to time review its publication scheme.

(2) A publication scheme must—

- (a) specify classes of information which the Body publishes or intends to publish, which must include information about all applications for permits made by the Body in cases where the Body is responsible for determining the application;
- (b) specify the manner in which, and the time within which, information of each class is, or is intended to be, published;
- (c) specify whether the material is, or is intended to be, available to the public free of charge.

(3) In developing, adopting or reviewing a publication scheme, the Body must—

- (a) consult such persons as it considers appropriate;
- (b) have regard to the public interest in—
 - (i) allowing public access to information held by the Body; and
 - (ii) the publication of information about applications for permits made to the Body and permitting decisions made by the Body.

(4) A publication scheme must be approved by the Welsh Ministers.

(5) If the Welsh Ministers refuse to approve a proposed publication scheme they must give the Body a statement of their reasons for doing so.

Status: This is the original version (as it was originally made).

(6) The Body must publish its publication scheme on its website and make copies of the scheme available on request.

(7) This article is without prejudice to any other power or duty of the Body to publish or disclose information.

Notification to Welsh Ministers in relation to self permitting

18.—(1) This article applies to any application for a permit in respect of which all of the following conditions are met—

- (a) the Body is the applicant;
- (b) the Body is responsible for determining the application;
- (c) the Welsh Ministers may make a direction that the application be referred to them for determination.

(2) The Body must notify the Welsh Ministers of the application at the time that it makes the application.”