

**2009 No. 100 (C. 7)**

**TOWN AND COUNTRY PLANNING**

**The Planning etc. (Scotland) Act 2006 (Commencement No. 7)  
Order 2009**

*Made* - - - -

*10th March 2009*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 59(2) of the Planning etc. (Scotland) Act 2006(a).

**Citation and interpretation**

**1.**—(1) This Order may be cited as the Planning etc. (Scotland) Act 2006 (Commencement No. 7) Order 2009.

(2) In this Order—

“the Act” means the Planning etc. (Scotland) Act 2006; and

“the Schedule” means the Schedule to this Order.

**Commencement**

**2.**—(1) Subject to paragraph (2) the provisions of the Act specified in column 1 of the Schedule (and the subject matter of which is described in column 2 of the Schedule), to the extent not already in force, come into force on 6th April 2009 for all purposes.

(2) Where a particular purpose is specified in column 3 of the Schedule in relation to any provision, that provision shall, to the extent not already in force, come into force on 6th April 2009 only for that purpose.

*STEWART STEVENSON*

Authorised to sign by the Scottish Ministers

St Andrew’s House,  
Edinburgh  
10th March 2009

## SCHEDULE

Article 2

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject Matter</i>	<i>Column 3</i> <i>Purpose</i>
Section 5	Hierarchy of developments	
Section 11	Pre-application consultation	
Section 17	Local developments: schemes of delegation	Only for the purpose of enabling and requiring the preparation and adoption of a scheme of delegation under section 43A(1) of the principal Act
Section 54(17)(a)(i) and (19)	Further amendment of the principal Act	Section 54(17)(a)(i) is commenced only for the purpose of inserting the definitions of “local developments” and “major developments” into section 277(1) of the principal Act

## EXPLANATORY NOTE

*(This note is not part of the Order)*

To the extent they are not already in force, this Order brings sections 5, 11 and 54(19) of the Planning etc. (Scotland) Act 2006 (“the Act”) into force on 6th April 2009 for all purposes.

Article 2(2) limits the purposes for which sections 17 and 54(17)(a)(i) of the Act are commenced on 6th April 2009. Section 54(17)(a)(i), to the extent not already in force, is commenced for the purpose of inserting new definitions into section 277 of the Town and Country Planning (Scotland) Act 1997 (c.8). Section 17 is commenced only for the purposes of enabling and requiring a planning authority to prepare and adopt a scheme of delegation.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Act have been brought into force by commencement orders made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Sections 3, 33 to 49 and 54 (partially)	6th February 2007	S.S.I. 2007/49
Sections 57 and 58	6th February 2007	S.S.I. 2007/49
Section 16(a)	1st March 2007	S.S.I. 2007/130
Sections 1, 3(1)(a), (c), (d) and (e) and (4), 4, 12(a)(iii) and (iv), 18, 27, 28(1)(a), (b) and (c), 32, 33 to 49 (Part 9), 51, 54(1), (2), (11)(b)(i) and (iii), (16)(d) and (e) and (17)(a)(ii) and (iii) and 55(1) and (3)	1st April 2007	S.S.I. 2007/130
Sections 50, 54(17)(a)(i), 56 and the schedule (partially)	1st April 2007	S.S.I. 2007/130
Sections 2 and 54(16)(b)(i), (c) and (f) (partially)	19th May 2008	S.S.I. 2008/164
Section 55(2)	1st June 2008	S.S.I. 2008/191
Sections 2 and 54(17)(a)(i) (partially)	25th June 2008	S.S.I. 2008/164
Parts 3 and 4 and section 54(17) (partially)	12th December 2008	S.S.I. 2008/411
Section 2, 53 and 54(11)(a), (12), (14), (15) and (16)(b)(i) and (f)	28th February 2009	S.S.I. 2009/70
Section 54(17)(a)(i) (partially)	28th February 2009	S.S.I. 2009/70

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£4.00