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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 219 (C. 17)**

**TOWN AND COUNTRY PLANNING**

The Planning etc. (Scotland) Act 2006  
(Commencement No. 9) Order 2009

Made - - - - 3rd June 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(1).

**Citation and interpretation**

1.—(1) This Order may be cited as the Planning etc. (Scotland) Act 2006 (Commencement No. 9) Order 2009.

(2) In this Order—

“the 1997 Act” means the Town and Country Planning (Scotland) Act 1997(2);

“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 3rd August 2009 for all purposes.

(2) Where a 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 3rd August 2009 only for that purpose.

St Andrew’s House,  
Edinburgh  
3rd June 2009

*STEWART STEVENSON*  
Authorised to sign by the Scottish Ministers

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(1) 2006 asp 17.  
(2) 1997 c. 8.

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## 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 6	Notification of initiation and completion of development	
Section 7(1) and (2)	Applications for planning permissions	
Section 8	Variation of planning application	
Section 9	Development already carried out	
Section 10	Publicity of applications	
Section 12	Public availability of information	
Section 13	Lists of applications	
Section 14	Pre-determination hearings	
Section 15	Additional grounds for declining to determine an application	
Section 16(b)	Manner of dealing with applications	
Section 17	Local developments: schemes of delegation	
Section 19	Appeals	
Section 20(1) and (2)	Duration of planning permission	
Section 21	Planning permission in principle	
Section 22	Further provision regarding duration of planning permission	
Section 25	Fixed penalty notices	
Section 26	Temporary stop notices	
Section 54(3), (4), (5), (6), (7), (8), (9), (10), (13) and (17)(a)(i)	Further amendment of the principal Act	
Section 56 and the Schedule	Repeals	For all purposes other than the repeal (wholly or partially) of— (i) section 67(8) of the 1997 Act; (ii) section 163 of the 1997 Act;

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<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>
		(iii) section 182(3)(a) of the 1997 Act; (iv) section 252(2) of the 1997 Act; and (v) sections 20(2), 36(2) and 72(1)(b) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997(3).

### EXPLANATORY NOTE

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

To the extent they are not already in force, this Order brings sections 6 to 10 (other than section 7(3)), 12 to 15, 16(b), 17 to 22 (other than section 20(3)), 25, 26, 54(3) to (10), (13) and (17)(a)(i) and 56 of and the Schedule (partially) to the Planning etc. (Scotland) Act 2006 (“the Act”) into force on 3rd August 2009 for all purposes.

Article 2(2) limits the purposes for which the Schedule to the Act is commenced on 3rd August 2009.

### 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	<a href="#">S.S.I. 2007/49</a>
Sections 57 and 58	6th February 2007	<a href="#">S.S.I. 2007/49</a>
Section 16(a)	1st March 2007	<a href="#">S.S.I. 2007/130</a>
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	<a href="#">S.S.I. 2007/130</a>

(3) [1997 c. 9.](#)

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Sections 50, 54(17)(a)(i), 56 and the schedule (partially)	1st April 2007	<a href="#">S.S.I. 2007/130</a>
Sections 2 and 54(16)(b)(i), (c) and (f) (partially)	19th May 2008	<a href="#">S.S.I. 2008/164</a>
Section 55(2)	1st June 2008	<a href="#">S.S.I. 2008/191</a>
Sections 2 and 54(17)(a)(i) (partially)	25th June 2008	<a href="#">S.S.I. 2008/164</a>
Section 52(1)	12th December 2008	<a href="#">S.S.I. 2008/411</a>
Parts 3 and 4 and section 54(17) (partially)	12th December 2008	<a href="#">S.S.I. 2008/411</a>
Section 2, 53 and 54(11)(a), (12), (14), (15) and (16)(b)(i) and (f)	28th February 2009	<a href="#">S.S.I. 2009/70</a>
Section 54(17)(a)(i) (partially)	28th February 2009	<a href="#">S.S.I. 2009/70</a>
Sections 5, 11 and 54(19)	6th April 2009	<a href="#">S.S.I. 2009/100</a>
Sections 17 and 54(17)(a)(i) (partially)	6th April 2009	<a href="#">S.S.I. 2009/100</a>
Section 31	14th May 2009	<a href="#">S.S.I. 2009/179</a>