



Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

1997 CHAPTER 9

PART IV

SUPPLEMENTAL

82 Regulations and orders.

- (1) The Secretary of State may make regulations—
 - (a) for prescribing the form of any notice, order or other document authorised or required by this Act to be served, made or issued by a planning authority which is a local authority;
 - (b) for any purpose for which regulations are authorised or required to be made under this Act.
- (2) Any power conferred by this Act to make regulations—
 - [^{F1}(a)] shall be exercisable by statutory instrument.
 - [^{F2}(b)] may be exercised so as to make different provision for different purposes.]
- (3) [^{F3}Subject to subsection (3A),] any statutory instrument containing regulations made under this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- [^{F4}(3A) A statutory instrument containing regulations made under section 39A(5) is not to be made unless a draft of the instrument has been laid before, and approved by resolution of, the Scottish Parliament.]
- (4) The power to make orders under sections 7(5), 54(5) and 67(7)
 - [^{F5}(a)] shall be exercisable by statutory instrument.
 - [^{F6}(b)] may be exercised so as to make different provision for different purposes.]
- (5) Any statutory instrument which contains an order under section 54(5) or 67(7) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Changes to legislation: Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Section 82 is up to date with all changes known to be in force on or before 29 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- [^{F7}(6) Any power conferred by this Act to make regulations or orders includes power to make such incidental, supplemental, consequential, transitory, transitional or saving provision as the Scottish Ministers consider necessary or expedient.]
- (7) Without prejudice to section 14 of the Interpretation Act 1978, any power conferred by this Act to make an order shall include power to vary or revoke any such order by a subsequent order.

Textual Amendments

- F1** Words in s. 82(2) renumbered as s. 82(2)(a) (30.6.2011) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011 \(asp 3\)](#), **ss. 30(2)(a)**, 33(2); S.S.I. 2011/174, art. 2, sch.
- F2** S. 82(2)(b) inserted (30.6.2011) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011 \(asp 3\)](#), **ss. 30(2)(b)**, 33(2); S.S.I. 2011/174, art. 2, sch.
- F3** Words in s. 82(3) inserted (30.6.2011) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011 \(asp 3\)](#), **ss. 30(3)**, 33(2); S.S.I. 2011/174, art. 2, sch.
- F4** S. 82(3A) inserted (30.6.2011) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011 \(asp 3\)](#), **ss. 30(4)**, 33(2); S.S.I. 2011/174, art. 2, sch.
- F5** Words in s. 82(4) renumbered as s. 82(4)(a) (30.6.2011) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011 \(asp 3\)](#), **ss. 30(5)(a)**, 33(2); S.S.I. 2011/174, art. 2, sch.
- F6** S. 82(4)(b) inserted (30.6.2011) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011 \(asp 3\)](#), **ss. 30(5)(b)**, 33(2); S.S.I. 2011/174, art. 2, sch.
- F7** S. 82(6) substituted (30.6.2011) by [Historic Environment \(Amendment\) \(Scotland\) Act 2011 \(asp 3\)](#), **ss. 30(6)**, 33(2); S.S.I. 2011/174, art. 2, sch.

Changes to legislation:

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Section 82 is up to date with all changes known to be in force on or before 29 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 82(1)(aa)-(ad) inserted by [2006 asp 17 s. 55\(5\)](#)