

1987 No. 1939 (C.58)

**HOUSING, ENGLAND AND WALES
TOWN AND COUNTRY PLANNING, ENGLAND AND
WALES
TOWN AND COUNTRY PLANNING, SCOTLAND
COAL INDUSTRY**

**The Housing and Planning Act 1986
(Commencement No. 9) Order 1987**

Made - - - - 16th November 1987

The Secretary of State for the Environment, as respects England, the Secretary of State for Wales, as respects Wales, and the Secretary of State for Scotland, as respects Scotland, in the exercise of the powers conferred on them by section 57(2) of the Housing and Planning Act 1986(a) and of all other powers enabling them in that behalf, hereby make the following Order:-

1. This Order may be cited as the Housing and Planning Act 1986 (Commencement No. 9) Order 1987.

2. The provisions of the Housing and Planning Act 1986 listed below shall come into force on 11th December 1987-

section 18 (except insofar as it gives effect to paragraph 10 of Schedule 4 to the Act),
section 24(3) insofar as it repeals the provisions specified in the Schedule to this Order,
Part V.

10th November 1987 *Nicholas Ridley*
Secretary of State for the Environment

12th November 1987 *Peter Walker*
Secretary of State for Wales

16th November 1987 *James Douglas-Hamilton*
Parliamentary Under Secretary of State, Scottish Office

SCHEDULE

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1980 c.51.	Housing Act 1980	Section 140.
1980 c.65.	Local Government, Planning and Land Act 1980.	Section 156(3)
1985 c.51.	Local Government Act 1985.	In Schedule 13, in paragraph 14, sub-paragraph (d) and the word "and" preceding it. In Schedule 14, paragraph 58(e).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 11th December 1987 certain provisions of the Housing and Planning Act 1986.

In Part I (housing) of the Act the provisions brought into force are—

section 18, which gives effect to Schedule 4 to the Act. Schedule 4 amends the Leasehold Reform Act 1967 (c.88), the Rent (Agriculture) Act 1976 (c.80) and the Rent Act 1977 (c.42) in relation to shared ownership leases; it also contains consequential amendments to other statutes, one of which (paragraph 10) is not brought into force by the Order;

section 24(3) so far as it effects repeals consequent upon section 18. The repealed provisions are set out in the Schedule to the Order.

Part V (opencast coal) of the Act is also brought into force. In conjunction with Part I of Schedule 8 and Part II of Schedule 12 (which also come into effect) Part V repeals and amends certain provisions of the Opencast Coal Act 1958 (c.69). The principal effect is that the specific authorisation of the Secretary of State will no longer be necessary before the British Coal Corporation carry out particular opencast working.

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.I. No.</i>
sections 1 to 4 sections 10 to 14 sections 16 and 17 sections 19 and 20 sections 22 and 23 section 24 (partially) Part III (ss. 27–29) Part VI (partially)	7th January 1987	1986/2262
section 49(1) (partially)	2nd March 1987	1987/304
section 40 section 49(2) (partially)	1st April 1987	1987/348
section 9	13th May 1987	1987/754
section 24(1) (partially)	1st September 1987	1987/1554
sections 26, 50 and 51	1st October 1987	1987/1607
section 25 section 41 section 49(1) (partially) section 49(2) (partially)	2nd November 1987	1987/1759