
STATUTORY INSTRUMENTS

2024 No. 44

**The Environment Act 2021 (Commencement No. 8
and Transitional Provisions) Regulations 2024**

Provisions coming into force on 12th February 2024

- 2.—(1) The following provisions of the Act come into force on 12th February 2024—
- (a) section 98 (biodiversity gain as condition of planning permission) in so far as it relates to the provisions commenced by sub-paragraph (d) of this paragraph;
 - (b) section 100 (biodiversity gain site register), for all remaining purposes;
 - (c) section 101 (biodiversity credits);
 - (d) paragraphs 1 and 2 of Schedule 14 (biodiversity gain as condition of planning permission) in so far as they insert the following provisions of Schedule 7A into the 1990 Act, for the purposes mentioned in paragraph (2) of this regulation—
 - (i) paragraphs 1 and 2;
 - (ii) paragraphs 5 to 11;
 - (iii) paragraph 12(1), except paragraph (a) in the definition of “planning authority”;
 - (iv) paragraph 12(3);
 - (v) paragraphs 13 to 21;
 - (e) paragraph 3 of Schedule 14 (biodiversity gain as condition of planning permission: consequential amendments).

(2) The purposes referred to in paragraph (1)(d) of this regulation relate to planning permission granted on an application made under Part 3 of the 1990 Act, other than planning permission relating to development to which section 73A of the 1990 Act (planning permission for development already carried out)⁽¹⁾ applies.

⁽¹⁾ Section 73A was inserted by paragraph 16(1) of Schedule 7 of the Planning and Compensation Act 1991 (c. 34).