

*Status: This version of this provision is prospective.*

**Changes to legislation:** *Planning (Scotland) Act 2019, Section 45 is up to date with all changes known to be in force on or before 19 January 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*



# Planning (Scotland) Act 2019

## 2019 asp 13

### PART 4

#### OTHER MATTERS

##### *Training for taking planning decisions*

PROSPECTIVE

#### **45 Power to impose training requirements: planning authorities**

- (1) A member of a planning authority who has not fulfilled the specified training requirements is prohibited from—
  - (a) exercising any of the authority's specified functions on their behalf, or
  - (b) being involved in exercising any of those functions on the authority's behalf as a member of a committee or any other body.
- (2) In this section—
  - (a) “specified” means specified by the Scottish Ministers in regulations under this section,
  - (b) “planning authority” means—
    - (i) local authority, and
    - (ii) National Park authority,
  - (c) the reference to a member of a planning authority includes a member of a committee of a National Park authority appointed under paragraph 16(1) of schedule 1 of the National Parks (Scotland) Act 2000.
- (3) Regulations under this section specifying functions of a planning authority may only specify functions conferred by the planning Acts as defined by section 277 of the Town and Country Planning (Scotland) 1997 Act.
- (4) Regulations under this section may in particular—
  - (a) specify that completing a training course is a training requirement,
  - (b) specify training requirements on the basis that the content and provider of the training must be accredited by the Scottish Ministers.

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(5) The Scottish Ministers may disapply subsection (1) in relation to a planning authority (or all authorities) by regulations under this section.”.

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.S.I. 2019/377, reg. 9 by [S.S.I. 2019/411 reg. 2](#)
- specified provision(s) amendment to earlier commencing S.S.I. 2021/101, regs. 3, 4 by [S.S.I. 2021/291 reg. 2](#)