

*Status: This version of this provision no longer has effect.*

*Changes to legislation: There are currently no known outstanding effects for the The Health and Personal Social Services (Northern Ireland) Order 1991, Paragraph 6. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

#### PROVISIONS ARISING OUT OF REMOVAL OF CROWN IMMUNITIES FROM HEALTH AND [F1SOCIAL CARE] BODIES

**F1** Words in Sch. 2 heading substituted (1.4.2009) by virtue of [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\)](#), [Sch. 6 para. 1\(1\)\(a\)](#) (with Sch. 6 para. 1(2)(3)); S.R. 2009/114, [art. 2](#)

### F2F2PART II

#### TRANSITIONAL PROVISIONS

**F2** Sch. 2 Pt. II repealed (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 33, 34\(3\)](#), [Sch. 7](#); S.R. 2009/114, [art. 2](#)

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6.—(1) This paragraph applies if—

- (a) before the appointed day, notice of any proposed development has been given to the Department of the Environment in accordance with arrangements relating to development by government departments; and
- (b) the development relates to land which, at the time the notice was given, fell within Article 7(1)(a) or (b); and
- (c) the proposed development has not been carried out before the appointed day.

(2) So far as relates to the carrying out of the development of which notice was given as mentioned in sub-paragraph (1)(a), for the purposes of the arrangements so mentioned and of the Planning (Northern Ireland) Order 1972,—

- (a) the carrying out of the development shall continue to be regarded as being by or on behalf of the Crown; and
- (b) so long as the interest of the Department in the land referred to in sub-paragraph (1)(b) continues on and after the appointed day to be held in fact by the Department or an HSS trust, that interest shall be regarded as continuing to be an interest of, or held on behalf of, the Crown.

(3) Expressions used in sub-paragraphs (1) and (2) have the same meaning as in the Planning (Northern Ireland) Order 1972.

**F1** Words in Sch. 2 heading substituted (1.4.2009) by virtue of [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\), ss. 32, 34\(3\)](#), [Sch. 6 para. 1\(1\)\(a\)](#) (with Sch. 6 para. 1(2)(3)); S.R. 2009/114, [art. 2](#)

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**F2** Sch. 2 Pt. II repealed (1.4.2009) by Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1), ss. 33, 34(3), **Sch. 7**; S.R. 2009/114, **art. 2**

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