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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 164 (C. 16)**

**TOWN AND COUNTRY PLANNING**

**The Planning etc. (Scotland) Act 2006  
(Commencement No. 3) Order 2008**

*Made - - - - 22nd April 2008*

The Scottish Ministers make the following Order, in exercise of the powers conferred by section 59(2) of the Planning etc. (Scotland) Act 2006<sup>(1)</sup>.

**Citation and interpretation**

**1.**—(1) This Order may be cited as the Planning etc. (Scotland) Act 2006 (Commencement No. 3) Order 2008.

(2) In this Order—

“the Act” means the Planning etc. (Scotland) Act 2006;

“the principal Act” means the Town and Country Planning (Scotland) Act 1997<sup>(2)</sup>; and

“the Schedule” means the Schedule to this Order.

(3) The terms “strategic development plan area” and “strategic development plan authority” have the meaning given in section 277(1) of the principal Act when that Act is amended by sections 2 and 54(17)(a)(i) of the Act.

**Commencement**

**2.**—(1) Sections 2 (development plans) and 54(16)(b)(i), (c) and (f) (further amendment of the principal Act) come into force on 19th May 2008 only for the purposes of enabling orders or regulations to be made and directions or guidance to be issued.

(2) The provisions of the Act which are specified in column 1 of the Schedule (and the subject matter of which is described in column 2 of the Schedule) come into force on 25th June 2008 for the particular purpose specified in column 3 of the Schedule in relation to each provision.

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(1) 2006 asp 17.

(2) 1997 c. 8.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
22nd April 2008

STEWART STEVENSON  
Authorised to sign by the Scottish Ministers

## SCHEDULE

Article 2(2)

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject Matter</i>	<i>Column 3</i> <i>Purpose</i>
Section 2	Development plans	Only for the purposes of— (a) the determination and re determination of the boundary of a strategic development plan area and procedures relating thereto; (b) requiring a strategic development plan authority to have regard to guidance issued by the Scottish Ministers; and (c) the definitions of “strategic development plan”, “strategic development plan area” and “strategic development plan authority”
Section 54(17)(a)(i)	Further amendment of the principal Act	Section 54(17)(a)(i) is commenced only for the purpose of inserting the definitions of “strategic development plan”, “strategic development plan area” and “strategic development plan authority” into section 277(1) of the principal Act

**EXPLANATORY NOTE***(This note is not part of the Order)*

This Order brings section 2 of the Planning etc. (Scotland) Act 2006 (“the Act”) into force on 19th May 2008 for the purposes of enabling orders and regulations to be made and directions and guidance to be issued. The Order brings sections 2 and 54 (17)(a)(i) of the Act into force for other purposes on 25th June 2008.

Article 2(2) limits the purposes for which those provision are commenced on 25th June 2008. Section 2 is commenced only for the purposes of the determination and redetermination of strategic development plan areas and related procedures, guidance and definitions. Section 54(17)(a)(i) is

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commenced for the purpose of inserting new definitions into section 277 of the Town and Country Planning (Scotland) Act 1997 (c. 8).

The Act received Royal Assent on 20th December 2006.

#### **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.S.I. No.</i>
Sections 3, 33 to 49 and 54 (partially)	6th February 2007	<a href="#">S.S.I. 2007/49</a>
Sections 57 and 58	6th February 2007	<a href="#">S.S.I. 2007/49</a>
Section 16(a)	1st March 2007	<a href="#">S.S.I. 2007/130</a>
Sections 1, 3(1)(a), (c), (d) and (e) and (4), 4, 12(a)(iii) and (iv), 18, 27, 28(1)(a), (b) and (c), 32, 33 to 49 (Part 9), 51, 54(1), (2), (11)(b)(i) and (iii), 16(d) and (e) and 17(a)(ii) and (iii), 55(1) and (3)	1st April 2007	<a href="#">S.S.I. 2007/130</a>
Sections 50, 54(17)(a)(i), 56 and the schedule (partially)	1st April 2007	<a href="#">S.S.I. 2007/130</a>