
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 294

**The Planning (Scotland) Act 2019 (Commencement
No. 5 and Saving, Transitional and
Consequential Provisions) Regulations 2020**

Saving and transitional provisions

3.—(1) The amendments made by section 34 of the Act to section 75 (planning obligations) of the 1997 Act do not affect the validity of an existing planning obligation and the provisions of section 75 of the 1997 Act continue to apply in relation to an existing planning obligation as they did immediately before 18 November 2020.

(2) The provisions of the 1997 Act specified in paragraph (3) (as those provisions have effect on 18 November 2020) apply in relation to an existing planning obligation as they apply to a planning obligation entered into under section 75 of the 1997 Act on or after that date and, for the purpose of such application, references in those sections and in regulations made under the 1997 Act to a planning obligation are to be treated as including a reference to an existing planning obligation.

(3) The provisions are—

- (a) section 34 (notice by planning authority of certain applications made to them),
- (b) section 43 (directions etc. as to method of dealing with applications),
- (c) section 75A (modification and discharge of planning obligations), and
- (d) section 75B (appeals).

(4) In this regulation, “existing planning obligation” means a planning obligation entered into under, or having effect as if entered into under, section 75 of the 1997 Act before 18 November 2020.