



Town and Country Planning Act 1971

1971 CHAPTER 78

PART XV

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

287 Regulations and orders

- (1) The Secretary of State may make regulations under this Act—
 - (a) for prescribing the form of any notice, order or other document authorised or required by any of the provisions of this Act to be served, made or issued by any local authority;
 - (b) for any purpose for which regulations are authorised or required to be made under this Act, not being a purpose for which regulations are authorised or required to be made by another Minister.
- (2) Any power conferred by this Act to make regulations shall be exercisable by statutory instrument; and any statutory instrument containing regulations made under this Act (except regulations which, by virtue of any provision of this Act, are of no effect unless approved by a resolution of each House of Parliament) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) Any power conferred by any of the provisions of this Act to make an order shall include power to vary or revoke any such order by a subsequent order.
- (4) The power to make orders under sections 1(2), 21, 22(2)(f), 24, 55(3), 69, 73(6), 74(4)(b), 75(8), 192(4)(a) and 269 of this Act shall be exercisable by statutory instrument.
- (5) Any statutory instrument—
 - (a) which contains an order under subsection (2) of section 1 of this Act which has been made after a local inquiry has been held in accordance with the proviso to that subsection; or
 - (b) which contains a development order or an order under section 69, 73(6), 75(8) or 192(4)(a) of this Act,

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shall be subject to annulment in pursuance of a resolution of either House of Parliament.

- (6) Without prejudice to subsection (5) of this section, where a development order makes provision for excluding or modifying any enactment contained in a public general Act (other than any of the enactments specified in Schedule 22 to this Act) the order shall not have effect until that provision is approved by a resolution of each House of Parliament.
- (7) Any order under this Act which designates an area for the purposes of section 74(4)(b) of this Act shall cease to have effect at the end of the period of twenty-eight days beginning with the day on which the order is made (but without prejudice to anything previously done under the order or to the making of a new order) unless before the end of that period the order is approved by a resolution of each House of Parliament.
- (8) In reckoning any period for the purposes of subsection (7) of this section, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.
- (9) Any order under section 69, 73(6), 74(4)(b) or 75(8) of this Act may contain such supplementary and incidental provisions as may appear to the Secretary of State to be appropriate.
- (10) Any power (exercisable in accordance with section 294(2) of this Act) to make regulations or orders under this Act before the date of the commencement of this Act shall include power, by any regulations or order so made, to revoke any regulations or order made under any of the enactments which, as from that date, are repealed by this Act or having effect by virtue of any of those enactments as if made thereunder.