

PLANNING ACT 2008

EXPLANATORY NOTES

COMMENTARY

Part 12: Final Provisions

Section 226: The Crown

379. This section applies the Act to the Crown, subject to the exceptions set out in subsections (2) and (3).

Section 227: “Crown land” and “the appropriate Crown authority”

380. This section defines the expressions “Crown land” and “the appropriate authority” which are used in the Act.

Section 228: Enforcement in relation to the Crown and Parliament

381. This section provides that the offences in the Act do not apply to the Crown. Subsection (2) contains an extended definition of the Crown for the purposes of this section, including, for example, the Speakers of the House of Commons and the House of Lords.

Section 229: Service of notices: general

382. This section contains provision in respect of how notices and other documents should be served.

Section 230: Service of documents to persons interested in or occupying premises

383. This section sets out the conditions which must be satisfied in order to show that a notice, served under the provisions of the Act to a person interested in or occupying premises, has been properly served.

Section 231: Service of notices on the Crown and Parliament

384. This section specifies that any notice required under the Act to be served on the Crown must be served on the appropriate Crown authority. For these purposes the expression “the Crown” has an extended meaning.

Sections 232-242: Additional provisions, including commencement

385. The remainder of Part 12 contains supplementary provisions. Sections 232 and 233 contain general provision for orders, regulations and directions under the Act. Section 232 sets out the procedure which is to apply in respect of certain powers to make regulations and orders conferred by the Act, and states that these powers include the power to make different provision for different cases and to make incidental, consequential, supplementary, transitional or transitory provision or savings. Sections 234 and 235 deal with abbreviations and interpretation. Section 236 introduces Schedule 12 which contains modifications of certain provisions of the Act in their

application to Scotland. Section 237 confers upon the Secretary of State an order making power which may be used to make supplementary and consequential provision. Sections 238 to 240 make provision as to repeals, financial provisions and extent.

386. [Section 241](#) makes provision about commencement. In general the provisions of the Act will be brought into force by order made by the Secretary of State. Certain provisions of the Act will come into force on the day on which the Act is passed; these are set out in subsection (1) of section 241. Certain provisions will be brought into force in relation to Wales by order made by the Welsh Ministers; these are set out in subsections (3) and (4) of section 241. Certain provisions will be brought into force by order made by the Welsh Ministers, these are set out in subsection (5). Provisions which will come into force at the end of two months beginning with the day on which the Act is passed are set out in subsection (6).