

STATUTORY INSTRUMENTS

1975 No. 380 (C. 13) (S. 47)

TOWN AND COUNTRY PLANNING, SCOTLAND

The Town and Country Planning (Scotland) Act 1972
(Commencement No. 2) Order 1975

Made - - - - 6th March 1975

In exercise of the powers conferred on me by section 18 of the Town and Country Planning (Scotland) Act 1972(a), and of all other powers enabling me in that behalf, I hereby make the following order:—

1.—(1) This order may be cited as the Town and Country Planning (Scotland) Act 1972 (Commencement No. 2) Order 1975.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

2. Part II of the Town and Country Planning (Scotland) Act 1972, apart from sections 16 and 18, and Part I of Schedule 21 thereof, shall come into operation for the whole of Scotland (except the Orkney Islands Area) on 16th May 1975.

3. Pending the repeal of Schedules 3 and 4 to the Town and Country Planning (Scotland) Act 1972, any reference in that Act to the carrying out of a survey or the preparation, approval, making or amendment of a development plan under the said Schedule 3 or to a plan or amendment approved or made thereunder, shall be construed as including a reference to the carrying out of a survey or the preparation, approval, adoption, making or amendment of a structure or local plan under Part II of that Act, or as the case may be, to a plan or amendment approved, adopted or made thereunder.

William Ross,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh.
6th March 1975.

(a) 1972 c. 52.

(b) 1889 c. 63.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force the provisions of Part II of the Town and Country Planning (Scotland) Act 1972 for the whole of Scotland, with the exception of the Orkney Islands Area for which Part II has already been brought into force by a separate commencement order.

The provisions which are brought into force are the substantive provisions for the new development plan system of structure and local plans. They require each regional and general planning authority to institute a survey, prepare a report of the survey and prepare and submit to the Secretary of State for his approval a structure plan for their area. The provisions also empower general and district planning authorities to prepare local plans for any part of their areas. Until the repeal of Schedules 3 and 4 to the Act it will remain possible for a general or district planning authority to amend the existing development plan, with the approval of the Secretary of State, for any part of their area for which they have not adopted a local plan.

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