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STATUTORY INSTRUMENTS

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**2015 No. 758 (C. 41)**

**INFRASTRUCTURE PLANNING**

The Infrastructure Act 2015 (Commencement No. 2 and Transitional Provisions) Regulations 2015

Made - - - - 18th March 2015

The Secretary of State, in exercise of the powers conferred by section 57(5) and (11) of the Infrastructure Act 2015<sup>(1)</sup>, makes the following Regulations:

**Citation and interpretation**

1.—(1) These Regulations may be cited as the Infrastructure Act 2015 (Commencement No. 2 and Transitional Provisions) Regulations 2015.

(2) In these Regulations, “the Act” means the Infrastructure Act 2015.

**Provisions coming into force on 12th April 2015**

2. Section 26 (timing of appointment of examining authority) of the Act comes into force on 12th April 2015.

**Provisions coming into force on 14th July 2015**

3. Section 28 (changes to, and revocation of, development consent orders) of the Act, so far as not already in force, comes into force on 14th July 2015.

**Transitional provisions**

4.—(1) The following transitional provisions have effect.

(2) The amendments made by section 26 of the Act do not apply in respect of applications for development consent under section 37 of the Planning Act 2008<sup>(2)</sup> made to the Secretary of State before 12th April 2015.

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(1) 2015 c.7.

(2) 2008 c.29. Section 37 was amended by sections 128 and 137(5) of, and paragraph 5 of Schedule 13 to the Localism Act 2011 (c.20).

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**Status:** This is the original version (as it was originally made).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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(3) The amendments made by section 28 of the Act do not apply in respect of applications for a change to a development consent order under paragraph 3(1) of Schedule 6 to the Planning Act 2008(3) made to the Secretary of State before 14th July 2015.

Signed by authority of the Secretary of State for Communities and Local Government

*Brandon Lewis*  
Minister of State  
Department for Communities and Local  
Government

18th March 2015

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(3) Paragraph 3 of Schedule 6 was amended by section 128 of and paragraph 72 of Schedule 13 to the Localism Act 2011, by section 237 and paragraph 1 of Schedule 25 to that Act, and by article 6 of [S.I. 2011/1043](#).

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations bring into force section 26 and, so far as not already in force, section 28 of the Infrastructure Act 2015 (“the Act”).

Section 26 amends the Planning Act 2008 (“the 2008 Act”) to enable the earlier appointment of examining authorities on applications for development consent for nationally significant infrastructure projects.

Section 28 amends the 2008 Act to allow the Secretary of State to refuse an application for an order to change, or revoke, a development consent order made under that Act if, in particular, the Secretary of State considers that the development that would be authorised as a result of the change should properly be the subject of an application for a new development consent order.

An impact assessment of the effect that the Act will have on the costs of business and the voluntary sector has been produced, and a copy is available at <http://www.parliament.uk/documents/impact-assessments/IA15-003.pdf>. No separate impact assessment has been produced for this instrument.

## NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

*(This note is not part of the Regulations)*

The following provisions of the Infrastructure Act 2015 have been brought into force by commencement regulations made before the date of these Regulations:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Part 1, so far as not already in force	5th March 2015	<a href="#">2015/481</a>
Section 23, so far as it relates to England	12th April 2015	<a href="#">2015/481</a>
Section 24, so far as it relates to England	5th March 2015	<a href="#">2015/481</a>
Section 25, so far as it relates to England	5th March 2015	<a href="#">2015/481</a>
Section 41	12th April 2015	<a href="#">2015/481</a>
Section 42	12th April 2015	<a href="#">2015/481</a>
Schedule 7	12th April 2015	<a href="#">2015/481</a>