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STATUTORY INSTRUMENTS

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**2016 No. 733**

**The Housing and Planning Act 2016 (Commencement No.2,  
Transitional Provisions and Savings) Regulations 2016**

**Saving and transitional provisions**

**6.—(1)** The amendments made by section 179 of, and Schedule 14 to, the Act (right to enter and survey land: consequential amendments) do not apply in relation to a case where a person is authorised to enter and survey or value land under any of the relevant provisions and gives notice of the intended entry to the owner or occupier of the land before 13th July 2016.

(2) The relevant provisions are—

- (a) section 16(1) of the Defence Act 1842**(1)**;
- (b) section 25(1) of the Coast Protection Act 1949**(2)**;
- (c) section 108(1) of the National Parks and Access to the Countryside Act 1949**(3)**;
- (d) section 21(1) of the Land Powers (Defence) Act 1958**(4)**;
- (e) section 26(1) of the Caravan Sites and Control of Development Act 1960**(5)**;
- (f) section 60(1) of the Criminal Justice Act 1972**(6)**;
- (g) paragraph 14(1) of Schedule 4 to the Welsh Development Agency Act 1975**(7)**;
- (h) section 15(1) of the Local Government (Miscellaneous Provisions) Act 1976**(8)**;
- (i) section 43(1) of the Ancient Monuments and Archaeological Areas Act 1979**(9)**;
- (j) section 167(1) of the Local Government, Planning and Land Act 1980**(10)**;
- (k) section 289(1) of the Highways Act 1980**(11)**;
- (l) section 73(1) of the New Towns Act 1981**(12)**;
- (m) section 50(2) of the Civil Aviation Act 1982**(13)**;
- (n) section 14(6) of the Industrial Development Act 1982**(14)**;

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- (1)** 1842 c. 94; section 16(1) was amended by the Statute Law Revision (No 2) Act 1888 (c. 57) and by S.I. 2006/1177.
  - (2)** 1949 c. 74; section 25(1) was amended by the Flood and Water Management Act 2010 (c. 29), section 31 and Schedule 2, paragraphs 1 and 18.
  - (3)** 1949 c. 97; section 108(1) was amended by the Highways Act 1959 (c. 25), section 312(2) and Schedule 25, and by the London Government Act 1963 (c. 33), sections 16(2) and 93(1) and Schedule 6, paragraph 70, and Schedule 18, Part 2.
  - (4)** 1958 c. 30.
  - (5)** 1960 c. 62.
  - (6)** 1972 c. 71.
  - (7)** 1975 c. 70; paragraph 14(1) of Schedule 4 was amended by S.I. 2005/3226.
  - (8)** 1976 c. 57. Paragraph 1(2)(b) of Schedule 8 to the Environment Act 1995 (c. 25) provides that section 15 of the Local Government (Miscellaneous Provisions) Act 1976 applies in relation to a National Park Authority as if the authority were a local authority for the purposes of that Act.
  - (9)** 1979 c. 46.
  - (10)** 1980 c. 65.
  - (11)** 1980 c. 66.
  - (12)** 1981 c. 64.
  - (13)** 1982 c. 16.
  - (14)** 1982 c. 52; section 14(6) was amended by the Planning (Consequential Provisions) Act 1990 (c. 11), section 4 and Schedule 2, paragraph 57.

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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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- (o) section 54(1)(a) of the Housing Act 1985**(15)**;
- (p) section 97(1)(a) of the Local Government and Housing Act 1989**(16)**;
- (q) paragraph 10(1) of Schedule 4 to the Electricity Act 1989**(17)**;
- (r) section 324(6) of the Town and Country Planning Act 1990**(18)**;
- (s) section 88(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990**(19)**;
- (t) section 64(1)(a) or (b) of the Land Drainage Act 1991**(20)**;
- (u) section 169(1) of the Water Industry Act 1991**(21)**;
- (v) section 171(1) of the Water Resources Act 1991**(22)**;
- (w) paragraph (2)(1) of Schedule 6 to the Postal Services Act 2000**(23)**;
- (x) section 17(1) of the Housing and Regeneration Act 2008**(24)**.

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**(15)** 1985 c. 68.

**(16)** 1989 c. 42.

**(17)** 1989 c. 29.

**(18)** 1990 c. 8.

**(19)** 1990 c. 9.

**(20)** 1991 c. 59.

**(21)** 1991 c. 56.

**(22)** 1991 c. 57; section 171(1) was amended by the Environment Act 1995 (c. 25), section 120 and Schedule 22, paragraph 128, and by S.I. 2013/755.

**(23)** 2000 c. 26.

**(24)** 2008 c. 17. Section 333ZD of the Greater London Authority Act 1999 (c.29) provides that section 17 of the Housing and Regeneration Act 2008 applies in relation to the Greater London Authority and land in Greater London as it applies in relation to the Homes and Communities Agency and land outside Greater London. Section 210 of the Localism Act 2011(c. 20) provides that section 17 of the Housing and Regeneration Act 2008 applies in relation to a Mayoral Development Corporation as it applies in relation to the Homes and Communities Agency.