

## SCHEDULES

### SCHEDULE 6

Section 252.

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Caravans Act (Northern Ireland) 1963 (c. 17)*

1. In section 3(3) for “the Planning Order” substitute “the Planning Act”.
2. In section 4—
  - (a) in subsection (1) for “the Planning Order” substitute “the Planning Act”;
  - (b) in subsection (2) for “Article 32 of the Planning Order” substitute “section 58 of the Planning Act”.
3. In section 5(3) for “the Planning Order” substitute “the Planning Act”.
4. In section 8(10) for “the Planning Order” substitute “the Planning Act”.
5. In section 25(1) for the definition of “the Planning Order” substitute—  
“the Planning Act” means the Planning Act (Northern Ireland) 2011;”.
6. In section 25(4) for “the Planning Order” substitute “the Planning Act”.
7. In the Schedule in paragraph 9 for “the Planning Order” substitute “the Planning Act”.

##### *The Local Government Act (Northern Ireland) 1972 (c. 9)*

8. In section 47A (delegation of functions to officers) after subsection (3) add—  
“(4) A district council’s function of determining planning permission for a development of a class mentioned in section 30(1) of the Planning (Northern Ireland) Act 2011 shall be discharged only by the council.”.

##### *The Planning (Northern Ireland) Order 1972 (NI 17)*

9. In Article 2(2)—
  - (a) for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”;
  - (b) for “that Order” substitute “that Act”.
10. In Article 68(1) for “Order” substitute “Act”.
11. For Article 69B(1) substitute—

“(1) In this Part “the Planning Act” means the Planning Act (Northern Ireland) 2011.”.

*The House of Commons Disqualification Act 1975 (c. 24)*

**12.** In Schedule 1 in Part 2 for “The Planning Appeals Commission constituted under Article 110 of the Planning (Northern Ireland) Order 1991” substitute “The Planning Appeals Commission constituted under section 203 of the Planning Act (Northern Ireland) 2011”.

*The Rates (Northern Ireland) 1977 (NI 28)*

**13.** In Article 26 in paragraph (2B)(d) for “the [Planning \(Northern Ireland\) Order 1991 \(NI 11\)](#)” substitute “the Planning Act (Northern Ireland) 2011”.

**14.** In Part 1 of Schedule 12 in paragraph 8—

- (a) in the definition of “development” for “Article 2(2) of the Planning Order” substitute “section 250(1) of the Planning Act”;
- (b) for the definition of “Planning Order” substitute—  
    ““Planning Act” means the Planning Act (Northern Ireland) 2011;”;
- (c) in the definition of “planning permission” for “Article 2(2) of the Planning Order” substitute “section 250(1) of the Planning Act”.

*The Property (Northern Ireland) Order 1978 (NI 4)*

**15.** In Article 5(5)—

- (a) in sub-paragraph (c) for “development plan adopted under Part III of the Planning (Northern Ireland) Order 1991 for the area” substitute “local development plan (within the meaning of section 6(1) of the Planning Act (Northern Ireland) 2011) for the district”;
- (b) in sub-paragraph (d) for “that Planning Order” substitute “that Planning Act”.

*The Planning (Amendment) (Northern Ireland) Order 1978 (NI 18)*

**16.** In Article 2(2) omit the definition of “the Planning Order”.

**17.** In Article 2(3)—

- (a) for “the Planning Order” substitute “the Planning Act (Northern Ireland) 2011”;
- (b) for “that Order” substitute “that Act”.

**18.** In Article 3(a) for “Part IV of the Planning Order” substitute “Part 3 of the Planning Act (Northern Ireland) 2011”.

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*The Pollution Control and Local Government  
(Northern Ireland) Order 1978 (NI 19)*

**19.** In Article 65(6) for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

**20.** In Article 66(7) for “Article 2(2) of the Planning (Northern Ireland) Order 1991” substitute “section 250(1) of the Planning Act (Northern Ireland) 2011”.

*The Estate Agents Act 1979 (c. 38)*

**21.** In section 1(2)(e) for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”.

*The Building Regulations (Northern Ireland) Order 1979 (NI 16)*

**22.** In Article 3A(2)—

(a) in sub-paragraph (a), for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”;

(b) in sub-paragraph (b), for “that Order” substitute “that Act”.

**23.** In Article 9(3)(b) for “Parts IV and V of the Planning (Northern Ireland) Order 1991” substitute “Parts 3 and 4 of the Planning Act (Northern Ireland) 2011”.

*The Mineral Exploration (Northern Ireland) Order 1979 (NI 18)*

**24.** In Article 3(2) for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

*The Private Streets (Northern Ireland) Order 1980 (NI 12)*

**25.** In Article 2—

(a) in paragraph (2) for the definition of “the Planning Order” substitute—  
““the Planning Act” means the Planning Act (Northern Ireland) 2011;”;

(b) in paragraph (5) for “Planning Order” substitute “Planning Act”.

**26.** In Article 3—

(a) in paragraph (1) for “Part IV of the Planning Order” substitute “Part 3 of the Planning Act”;

(b) in paragraph (6) for “Planning Order” substitute “Planning Act”.

**27.** In Article 4(1)—

(a) for “Planning Order” substitute “Planning Act”;

(b) for “that Order” substitute “that Act”.

- 28.** In Article 4(2) for “Planning Order” substitute “Planning Act”.
- 29.** In Article 4(3)—
- (a) for “Article 32 of the Planning Order” substitute “section 58 of the Planning Act”;
  - (b) for “that Article” substitute “that section”.
- 30.** In Article 4(4)—
- (a) for “Part VI of the Planning Order” substitute “Part 5 of the Planning Act”;
  - (b) for “or the Planning Order” substitute “or the Planning Act”.
- 31.** In Article 24(8)(b) for “Planning Order” substitute “Planning Act”.
- 32.** In Article 25(2)(b) for “Planning Order” substitute “Planning Act”.

*The Housing (Northern Ireland) Order 1981 (NI 3)*

- 33.** In Article 38(5) for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”.

*The Enterprise Zones (Northern Ireland) Order 1981 (NI 15)*

- 34.** For Article 9(2) substitute—
- “(2) Sections 236(5) and 237 of the Planning Act (Northern Ireland) 2011 (giving notice, compensation for damage, etc.) shall apply in relation to paragraph (1) as they apply in relation to section 236 of that Act”.

*The Planning Blight (Compensation) (Northern Ireland) Order 1981 (NI 16)*

- 35.** In Article 2(2) after the definition of ““the Planning Order” insert—
- ““the Planning Act” means the Planning Act (Northern Ireland) 2011;”.
- 36.** In Article 3—
- (a) in paragraph (1)—
    - (i) in sub-paragraph (g) for the words from “indicated” to “Order” substitute “indicated in a development plan document (within the meaning of section 6(2) of the Planning Act)”;
    - (ii) for sub-paragraph (h) substitute—

“(h) is land indicated in a plan (not being a local development plan) as land which may be required for the purposes of any function of a government department, district council or authority possessing compulsory purchase powers, being land in respect of which the council intends to exercise its powers of planning control

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under Part 3 of the Planning Act by reference to such a plan;”;

(iii) for sub-paragraph (i) substitute—

“(i) is land in respect of which a council—

(a) has resolved to take action to safeguard it for development for the purposes of any function mentioned in sub-paragraph (h); or

(b) has been directed by the Department to restrict the grant of planning permission in order to safeguard it for such development;”;

(b) for paragraph (2) substitute—

“(2) In paragraph (1)(g) the reference to a development plan document is a reference to—

(a) a development plan document adopted or approved for the purposes of Part 2 of the Planning Act;

(b) a revision of a development plan document in pursuance of section 14 of the Planning Act which is adopted or approved for the purposes of Part 2 of that Act;

(c) a development plan document which has been submitted to the Department for independent examination under section 10 of the Planning Act;

(d) a revision of a development plan document in pursuance of section 14 of the Planning Act if the document has been submitted to the Department for independent examination under section 10 of that Act.

(2A) But paragraph (2)(c) and (d) does not apply if the document is withdrawn under section 11 of the Planning Act at any time after it has been submitted for independent examination.

(2B) In paragraph (2)(c) and (d) the submission of a development plan document to the Department for independent examination is to be taken to include the holding of an independent examination by the planning appeals commission or a person appointed by the Department.”;

(c) in paragraph (4) for “adopted by the Department” substitute “adopted or approved”;

(d) in paragraph (5) after “adopted”, wherever that word occurs, insert “or approved”.

**37.** In Article 15A(2) for “Part 12 of the Planning Order” substitute “Part 11 of the Planning Act”.

*The Civil Aviation Act 1982 (c. 16)*

**38.** In section 53(7) for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”.

*The Land Compensation (Northern Ireland) Order 1982 (NI 9)*

**39.** In Article 2(2) for “Article 110 of the Planning (Northern Ireland) Order 1991” substitute “section 203 of the Planning Act (Northern Ireland) 2011”.

**40.** In Article 7(2) for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”.

**41.** In Articles 14 and 15 for “development plan” wherever those words occur substitute “local development plan”.

**42.** In Article 15(1) for “Department of the Environment” substitute “council within whose district the land is situated”.

**43.** In Article 15(4), for “Department”, where that word occurs for the second and third times, substitute “council”.

**44.** In Article 15(4), (5), (7) and (8) and in Article 16, for “Department of the Environment” substitute “council”.

**45.** In Article 17, for paragraph (2) substitute—

“(2) Regulations under paragraph (1) may include provisions—

- (a) as to the manner in which notices of appeals are to be given and the time for giving any such notice; and
- (b) requiring councils to furnish the Department of the Environment and such other persons (if any) as may be prescribed by the regulations, with such information as may be so prescribed with respect to applications under Article 15.”

*The Housing (Northern Ireland) Order 1983 (NI 15)*

**46.** In Schedule 2, in paragraph 3 for “Article 11 of the Planning (Northern Ireland) Order 1991” substitute “section 23 of the Planning Act (Northern Ireland) 2011”.

*The Access to the Countryside (Northern Ireland) Order 1983 (NI 18)*

**47.** In Article 2(2)—

- (a) in the definition of “development” for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”;

- (b) in the definition of “planning permission” for “Article 2(2) of the Planning (Northern Ireland) Order 1991” substitute “section 250(1) of the Planning Act (Northern Ireland) 2011”.

*The Nature Conservation and Amenity  
Lands (Northern Ireland) Order 1985 (NI 1)*

- 48.** In Article 8(3)—
- (a) for “development plan” substitute “local development plan”;
  - (b) for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”.

*The Betting, Gaming, Lotteries and Amusements (Northern Ireland) 1985 (NI 11)*

- 49.** In Article 2(2), in the definition of “planning permission”, for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”.

*The Local Government (Miscellaneous  
Provisions) (Northern Ireland) Order 1985 (NI 15)*

- 50.** In Article 18(9) for “Article 67 of the Planning (Northern Ireland) Order 1991” substitute “section 130 of the Planning Act (Northern Ireland) 2011”.

- 51.** For Article 18(11) substitute—

“(11) This Article and Article 19 are without prejudice to sections 130 and 175 of the Planning Act (Northern Ireland) 2011 (control of advertisements) and to any regulations made under that Act by virtue of those sections.”.

- 52.** In Schedule 1, in paragraph 17(a) for the definition of “educational institution” substitute—

““educational institution” means any of the following—

- (a) a university;
- (b) a school within the meaning of the Education and Libraries (Northern Ireland) Order 1986;
- (c) a college of education or other establishment for the training of teachers maintained in pursuance of Article 66 of that Order or in respect of which grants are paid under that Article; or
- (d) an institution of further education within the meaning of the Further Education (Northern Ireland) Order 1997 or an institution providing further education in respect of which grants are paid under Article 5(1) (b) of that Order.”.

*The Liganside Development (Northern Ireland) Order 1989 (NI 2)*

53. In Article 16 for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”.

*The Planning and Building Regulations  
(Amendment) (Northern Ireland) Order 1990 (NI 14)*

54. In Article 29—

- (a) in paragraph (2), for “Articles 64 to 66 of the Planning Order” substitute “sections 181 to 183 of the Planning Act (Northern Ireland) 2011”;
- (b) in paragraph (3), for “Part 12 of the Planning Order” substitute “Part 11 of the Planning Act (Northern Ireland) 2011”.

*The Planning (Northern Ireland) Order 1991 (NI 11)*

55. In Article 2 (interpretation)—

(a) for paragraph (2) substitute—

“(2) In this Order, “the Department”—

- (a) in relation to any function under, or for the purposes of, Part 7, and so far as relating to that Part, Articles 102 to 104, 121, 122, 125, 125A and 130, means the Department for Social Development;
- (b) in relation to any function under, or for the purposes of, Articles 100 and 101 and Article 103 so far as relating to the making of an order under Article 100, means the Department for Regional Development.”;

(b) for paragraph (2A) substitute—

“(2A) Section 250(1) of the Planning Act (Northern Ireland) 2011, in so far as it relates to the definition of words or expressions used in that Act and in this Order, shall apply for the purposes of this Order as it applies for the purposes of that Act.”.

56. After Article 85 (development schemes) insert—

**“Power of Department to survey land for purposes of this Part**

**85A.** The Department may undertake, or cause to be undertaken, such surveys or studies as it may consider necessary for the purposes of this Part, including surveys or studies relating to any of the following matters—

- (a) the physical and economic characteristics of any area, including the purposes for which land is used;
- (b) the size, composition and distribution of the population of an area;



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- (c) the communications, transport system and traffic of an area;
- (d) any changes in relation to the foregoing matters and the effect which the changes are likely to have on the development of Northern Ireland or any part thereof or the planning of that development.”.

**57.** In Article 93, for “development plan” substitute “local development plan”.

**58.** In Article 125A (information as to estates in Crown land), in paragraph (4) (b) for “as to any of the matters mentioned in Article 123A(3)” substitute “as to national security or the measures taken or to be taken to ensure the security of any premises or property”.

*The Electricity (Northern Ireland) Order 1992 (NI 1)*

**59.** In Article 65(1)(b) for “Articles 20 to 24 of the Planning (Northern Ireland) Order 1991” substitute “sections 40 to 44 of the Planning Act (Northern Ireland) 2011”.

**60.** In Schedule 3 in paragraph 2(2)(b) for “Part IV of the Planning (Northern Ireland) Order 1991” substitute “Part 3 of the Planning Act (Northern Ireland) 2011”.

**61.** In Schedule 4 in paragraph 1(1) in the definition of “planning permission” for “Part IV of the Planning (Northern Ireland) Order 1991” substitute “Part 3 of the Planning Act (Northern Ireland) 2011”.

**62.** In Schedule 4 in paragraph 15(5) in the definition of “statutory undertakers” for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

**63.** In Schedule 8—

- (a) in paragraph 1A(5)(b) for “Article 111(5) of the Planning (Northern Ireland) Order 1991” substitute “section 204(5) of the Planning Act (Northern Ireland) 2011”;
- (b) in paragraph 3(2)—
  - (i) for “Planning (Northern Ireland) Order 1991 (except Article 32” substitute “Planning Act (Northern Ireland) 2011 (except section 58”;
  - and
  - (ii) for “the Department of the Environment on an application under that Order” substitute “a council on an application under that Act”;
- (c) in paragraph 3(5)—
  - (i) for “Planning (Northern Ireland) Order 1991 (except Article 57” substitute “Planning Act (Northern Ireland) 2011 (except section 115”;
  - and

- (ii) for “the Department of the Environment on an application under that Order” substitute “a council on an application under that Act”;
- (d) in paragraph 3(6)—
  - (i) for “Article 124 of the Planning (Northern Ireland) Order 1991” substitute “Section 242 of the Planning Act (Northern Ireland) 2011”;
  - and
  - (ii) for “that Article” substitute “that Act”.

*The Taxation of Chargeable Gains Act 1992 (c. 12)*

**64.** In Schedule 2 in paragraph 10(3) for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

*The Roads (Northern Ireland) Order 1993 (NI 15)*

**65.** In Article 2(2) in the definition of “planning permission” for “Article 25(1) of the Planning Order” substitute “section 45(1) of the Planning Act (Northern Ireland) 2011”.

**66.** In Article 80(13), in the definition of “development order”, for “the Planning Order” substitute “the Planning Act (Northern Ireland) 2011”.

**67.** In Article 87—

- (a) in paragraph (6) for “Article 67 of the Planning Order” substitute “section 130 of the Planning Act (Northern Ireland) 2011”;
- (b) in paragraph (8) for “Article 67 of the Planning Order” substitute “section 130 of the Planning Act (Northern Ireland) 2011”;
- (c) in paragraph (10) in the definition of “advertisement” for “Article 2(2) of the Planning Order” substitute “section 250(1) of the Planning Act (Northern Ireland) 2011”.

*The Value Added Tax Act 1994 (c. 23)*

**68.** In Schedule 8, in Group 6—

- (a) in Note (1)(a)(iii) for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”;
- (b) in Note (6)(c)(iii) for “Part V of the Planning (Northern Ireland) Order 1991” substitute “Part 4 of the Planning Act (Northern Ireland) 2011”.

*The Airports (Northern Ireland) Order 1994 (NI 1)*

**69.** In Article 14—

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(a) in paragraph (2)(a) for “Part VIII of the Planning (Northern Ireland) Order 1972” substitute “Part 6 of the Planning Act (Northern Ireland) 2011”;

(b) in paragraph (4) for “Part IV of the Planning (Northern Ireland) Order 1991” substitute “Part 3 of the Planning Act (Northern Ireland) 2011”.

**70.** In Article 15(1)(b)(ii) for “Articles 20 to 22 of the Planning (Northern Ireland) Order 1991” substitute “sections 40 to 42 of the Planning Act (Northern Ireland) 2011”.

**71.** In Schedule 3 in paragraph 3(2) for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

*The Historic Monuments and Archaeological  
Objects (Northern Ireland) Order 1995 (NI 9)*

**72.** In Article 2(2) in the definition of “works” for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

**73.** In Article 9(8)—

(a) for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”;

(b) for “Article 13(3)(a) of that Order” substitute “section 32(3)(a) of that Act”.

*The Street Works (Northern Ireland) Order 1995 (NI 19)*

**74.** In Article 2(2) in the definition of “the planning appeals commission” for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

*The Gas (Northern Ireland) Order 1996 (NI 2)*

**75.** In Article 47(1)(b) for “Articles 20 to 24 of the Planning (Northern Ireland) Order 1991” substitute “sections 40 to 44 of the Planning Act (Northern Ireland) 2011”.

**76.** In Schedule 2 in paragraph 2(2)(b) for “Part IV of the Planning (Northern Ireland) Order 1991” substitute “Part 3 of the Planning Act (Northern Ireland) 2011”.

**77.** In Schedule 3 in paragraph 1 in the definition of “planning permission” for “Part IV of the Planning (Northern Ireland) Order 1991” substitute “Part 3 of the Planning Act (Northern Ireland) 2011”.

**78.** In Schedule 3 in paragraph 14(6) in the definition of “statutory undertakers” for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

*The Business Tenancies (Northern Ireland) Order 1996 (NI 5)*

**79.** In Article 12(2) for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

**80.** In Schedule 2 in paragraph 12 for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

*The Ombudsman (Northern Ireland) Order 1996 (NI 8)*

**81.** In Schedule 3 for “Article 110 of the Planning (Northern Ireland) Order 1991” substitute “section 203 of the Planning Act (Northern Ireland) 2011”.

*The Licensing (Northern Ireland) Order 1996 (NI 22)*

**82.** In Article 84(a) for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

*The Registration of Clubs (Northern Ireland) Order 1996 (NI 23)*

**83.** In Article 2(2) in the definition of “planning permission” for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

*The Road Traffic Regulation (Northern Ireland) Order 1997 (NI 2)*

**84.** In Article 35(9)(a) for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

*The Industrial Pollution Control (Northern Ireland) Order 1997 (NI 18)*

**85.** In Schedule 2—

- (a) in paragraph 1(2) for “paragraphs (1), (3) and (5) of Article 111 of the Planning (Northern Ireland) Order 1991” substitute “subsections (1), (3) and (5) of section 204 of the Planning Act (Northern Ireland) 2011”;
- (b) in paragraph 2(5)—
  - (i) for “Paragraphs (2), (3) and (5) of Article 111 of the Planning (Northern Ireland) Order 1991” substitute “Subsections (2), (3) and (5) of section 204 of the Planning Act (Northern Ireland) 2011”;
  - (ii) for “that Order” substitute “that Act”;
- (c) in paragraph 3(2) for “paragraphs (1), (3) and (5) of Article 111 of the Planning (Northern Ireland) Order 1991” substitute “subsections (1), (3) and (5) of section 204 of the Planning Act (Northern Ireland) 2011”.
- (d) in paragraph 4(6)—

- (i) for “Paragraphs (2), (3) and (5) of Article 111 of the Planning (Northern Ireland) Order 1991” substitute “Subsections (2), (3) and (5) of section 204 of the Planning Act (Northern Ireland) 2011”;
- (ii) for “that Order” substitute “that Act”.

*The Waste and Contaminated Land (Northern Ireland) Order 1997 (NI 19)*

**86.** In Article 8(3) for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”.

**87.** In Article 31(3) for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”.

**88.** In Schedule 2—

- (a) in paragraph 1(2) for “paragraphs (1), (3) and (5) of Article 111 of the Planning (Northern Ireland) Order 1991” substitute “subsection (1), (3) and (5) of section 204 of the Planning Act (Northern Ireland) 2011”;
- (b) in paragraph 2(2) for “paragraphs (1), (3) and (5) of Article 111 of the Planning (Northern Ireland) Order 1991” substitute “subsection (1), (3) and (5) of section 204 of the Planning Act (Northern Ireland) 2011”;
- (c) in paragraph 4(2) for “paragraphs (2), (3) and (5) of Article 111 of the Planning (Northern Ireland) Order 1991” substitute “subsections (2), (3) and (5) of section 204 of the Planning Act (Northern Ireland) 2011”.

*The Competition Act 1998 (c. 41)*

**89.** In Schedule 3 in paragraph 1(1)(c) for “Article 40 of the Planning (Northern Ireland) Order 1991” substitute “section 76 of the Planning Act (Northern Ireland) 2011”.

*The Strategic Planning (Northern Ireland) Order 1999 (NI 4)*

**90.** In Article 2(3) for “the Planning (Northern Ireland) Order 1991” substitute “the Planning Act (Northern Ireland) 2011”.

*The Water (Northern Ireland) Order 1999 (NI 6)*

**91.** In Schedule 1 in paragraph 3—

- (a) in sub-paragraph (4) for “by the Planning Appeals Commission under Article 31 of the Planning Order (major planning applications)” substitute “under section 26 of the Planning Act (developments of regional significance)”;
- (b) in sub-paragraph (6) for “Planning Order” substitute “Planning Act”;

- (c) in sub-paragraph (8) at the end add “or other person appointed to hold a public local inquiry under section 26 of the Planning Act”;
- (d) for sub-paragraph (9) substitute—
  - “(9) In this paragraph, “the Planning Act” means the Planning Act (Northern Ireland) 2011.”.

*The Postal Services Act 2000 (c. 26)*

**92.** In Schedule 6 in paragraph 3(6) for “Article 2(2) of the Planning (Northern Ireland) Order 1991” substitute “section 250(1) of the Planning Act (Northern Ireland) 2011”.

*The Capital Allowances Act 2001 (c. 2)*

**93.** In section 436(2)(c) for “Article 2(2) of the Planning (Northern Ireland) Order 1991” substitute “section 250(1) of the Planning Act (Northern Ireland) 2011”.

*The Environment (Northern Ireland) Order 2002 (NI 7)*

- 94.** In Article 34(6)—
- (a) for “development plan” substitute “local development plan”;
  - (b) for “Planning (Northern Ireland) Order 1991” substitute “Planning Act (Northern Ireland) 2011”.
- 95.** In Article 38(3)(d) for “the [Planning \(Northern Ireland\) Order 1991 \(NI 11\)](#)” substitute “the Planning Act (Northern Ireland) 2011”.
- 96.** In Article 46—
- (a) in paragraph (4)(a) for “Part IV of the [Planning \(Northern Ireland\) Order 1991 \(NI 11\)](#)” substitute “Part 3 of the Planning Act (Northern Ireland) 2011”;
  - (b) in paragraph (7)(a) for “Part IV of the [Planning \(Northern Ireland\) Order 1991 \(NI 11\)](#)” substitute “Part 3 of the Planning Act (Northern Ireland) 2011”.

*The Strategic Investments and Regeneration  
of Sites (Northern Ireland) Order 2003 (NI 1)*

**97.** In Article 25(2) for “[Planning \(Northern Ireland\) Order 1991 \(NI 11\)](#)” substitute “Planning Act (Northern Ireland) 2011”.

*The Finance Act 2003 (c. 14)*

**98.** For section 60(5)(c) substitute—

“(c) in relation to Northern Ireland, has the same meaning as in the Planning Act (Northern Ireland) 2011 (see section 23 of that Act).”.

**99.** For section 61(2)(c) substitute—

“(c) in relation to Northern Ireland—

“planning obligation” means a planning agreement within the meaning of section 76 of the Planning Act (Northern Ireland) 2011 that is entered into in accordance with subsection (10) of that section, and

“modification of a planning obligation” means modification as mentioned in section 77(1) of that Act.”.

*The Rates (Capital Values, etc.) (Northern Ireland) Order 2006 (NI 4)*

**100.** In Schedule 2, in paragraph 2—

(a) for “Article 2(2) of the Planning Order”, in both places where it occurs, substitute “section 250(1) of the Planning Act”;

(b) for the definition of “Planning Order” substitute—

““Planning Act” means the Planning Act (Northern Ireland) 2011;”.

*The Water and Sewerage Services (Northern Ireland) Order 2006 (NI 21)*

**101.** In Article 298(3)(a) for “Article 2(2) of the [Planning \(Northern Ireland\) Order 1991 \(NI 11\)](#)” substitute “section 250(1) of the Planning Act (Northern Ireland) 2011”.

*The Climate Change Act 2008 (c. 27)*

**102.** In section 70(1)(c) for “the Planning (Northern Ireland) Order 1991 ([S.I. 1991/1220 \(N.I. 11\)](#)) (see Article 2(1) of that Order)” substitute “the Planning Act (Northern Ireland) 2011 (see section 250 of that Act)”.

*The Financial Assistance Act (Northern Ireland) 2009 (c. 2)*

**103.** In section 5 in the definition of “public body” in sub-paragraph (c) for “the [Planning \(Northern Ireland\) Order 1991 \(NI 11\)](#)” substitute “the Planning Act (Northern Ireland) 2011”.

*The Marine and Coastal Access Act 2009 (c. 23)*

**104.** In section 322(2) in the definition of “statutory undertaker” for paragraph (c) substitute—

“(c) the Planning Act (Northern Ireland) 2011.”.

*The Goods Vehicles (Licensing of Operators) Act (Northern Ireland) 2010 (c. 2)*

**105.** In Article 13(3)(b) for “Article 83A or 83B of the [Planning \(Northern Ireland\) Order 1991 \(NI 11\)](#)” substitute “section 169 or 170 of the Planning Act (Northern Ireland) 2011”.

**106.** In Article 18(7)(b) for “Article 83A or 83B of the [Planning \(Northern Ireland\) Order 1991 \(NI 11\)](#)” substitute “section 169 or 170 of the Planning Act (Northern Ireland) 2011”.

*The Forestry Act (Northern Ireland) 2010 (c. 10)*

**107.** In section 15(2)—

- (a) in paragraph (l), after “consent” insert “of a council or”;
- (b) in paragraph (m), for “Article 66B of the Planning (Northern Ireland) Order 1991 applies” substitute “section 127 of the Planning Act (Northern Ireland) 2011 applies”.

*The Caravans Act (Northern Ireland) 2011 (c. 12)*

**108.** In section 17(1), in the definition of “planning permission”, for “Part 4 of the Planning (Northern Ireland) Order 1991” substitute “Part 3 of the Planning Act (Northern Ireland) 2011”.

*The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23)*

**109.** In section 26—

- (a) in subsection (3) for “Article 84(2) of the Planning (Northern Ireland) Order 1991” substitute “section 175(2) of the Planning Act (Northern Ireland) 2011”;
- (b) in subsection (10)—
  - (i) in the definition of “advertisement” for “Article 2(2) of the Planning (Northern Ireland) Order 1991” substitute “section 250(1) of the Planning Act (Northern Ireland) 2011”;
  - (ii) in the definition of “relevant offence”, for the words from “Article 84(2)” to “that Order)” substitute “section 175(2) of the Planning Act (Northern Ireland) 2011 (displaying advertisements in contravention of regulations made under section 130 of that Act)”.

**110.** In section 31(1), for “Article 67 of the Planning (Northern Ireland) Order 1991” substitute “section 130 of the Planning Act (Northern Ireland) 2011”.

**111.** In section 38, omit subsections (1), (2) and (3).