

SCHEDULE 2

Transitional provisions

[^{F1}Transitional provisions: orders requiring discontinuance of use or alteration or removal of buildings or works

11.—(1) This paragraph applies where before the transfer date the Department served a notice under Article 39 (Orders requiring discontinuance of use or alteration or removal of buildings or works) (or any order or regulation made under the 1991 Order).

(2) Where this paragraph applies the appropriate council shall be deemed to have made and submitted to the Department for confirmation an order for the purposes of section 73 (Orders requiring discontinuance of use or alteration or removal of building or works) (or any order or regulation made under the 2011 Act).

(3) The notice mentioned in sub-paragraph (1) shall be treated as if it had been served by the appropriate council for the purposes of section 74(3) and subject to sub-paragraph (4) the order mentioned in sub-paragraph (2) shall be treated as if it had been confirmed by the Department under section 74 (Confirmation by Department of section 73 orders) (or any order or regulation made under the 2011 Act).

(4) Section 74(5) shall apply to the order mentioned in sub-paragraph (2) if any person on whom the notice mentioned in sub-paragraph (1) was served, within the period specified in the notice, in writing to the Department requests the opportunity of appearing before and being heard by the PAC.]

F1 Sch. 2 paras. 1011 substituted (16.3.2016) by [The Planning \(2011 Act\) \(Commencement No.3\) and \(Transitional Provisions\) \(Amendment\) Order \(Northern Ireland\) 2016 \(S.R. 2016/159\)](#), arts. 1, 2

Changes to legislation:

There are currently no known outstanding effects for the The Planning (2011 Act) (Commencement No.3) and (Transitional Provisions) Order (Northern Ireland) 2015, Paragraph 11.