

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2020 No. 67 (C. 5)**

**TOWN AND COUNTRY PLANNING**

**The Planning (Scotland) Act 2019 (Commencement  
No. 4 and Transitional Provision) Regulations 2020**

<i>Made</i>	- - - -	<i>3rd March 2020</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>5th March 2020</i>
<i>Coming into force</i>	- -	<i>18th May 2020</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 63(2) and (3) of the Planning (Scotland) Act 2019<sup>(1)</sup>.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Planning (Scotland) Act 2019 (Commencement No. 4 and Transitional Provision) Regulations 2020 and come into force on 18 May 2020.

(2) In these Regulations—

“the Act” means the Planning (Scotland) Act 2019, and

“the 1997 Act” means the Town and Country Planning (Scotland) Act 1997<sup>(2)</sup>.

**Appointed day**

2.—(1) Subject to paragraph (3), the day appointed for the coming into force of the provisions of the Act specified in paragraph (2), in so far as not already in force, is 18 May 2020.

(2) The provisions are—

- (a) section 17 (meaning of “development”: use of dwellinghouse for short-term holiday lets),
- (b) section 26 (conditional grant of planning permission: provision of toilet facilities within certain large developments), and
- (c) section 62 (minor and consequential amendments and repeals) and paragraph 9 of schedule 2 (regulations).

---

(1) 2019 asp 13.  
(2) 1997 c.8.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(3) Sections 17, 62 and paragraph 9 of schedule 2 to the Act come into force on 18 May 2020 only for the purpose of making regulations under section 26B(5) of the 1997 Act(3).

### **Transitional provision**

**3.** The provisions of section 41B (conditional grant of planning permission: provision of toilet facilities within certain large developments) of the 1997 Act(4) do not apply in respect of an application for planning permission made before 18 May 2020.

St Andrew's House,  
Edinburgh  
3rd March 2020

*KEVIN STEWART*  
Authorised to sign by the Scottish Ministers

---

(3) Section 26B(5) is inserted into the Town and Country Planning (Scotland) Act 1997 (c.8) (“the 1997 Act”) by section 17(2) of the Planning (Scotland) Act 2019 (asp 13) (“the Act”).

(4) Section 41B is inserted into the 1997 Act by section 26(2) of the Act.

---

## EXPLANATORY NOTE

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

These Regulations bring sections 17, 62 and paragraph 9 of schedule 2 of the Planning (Scotland) Act 2019 (“the Act”) into force on 18 May 2020 for the limited purpose of enabling regulations to be made. Section 26 comes into force on 18 May 2020 for all purposes, subject to the transitional provision in regulation 3.

The Bill for the Act received Royal Assent on 25 July 2019. Sections 58 to 61, 63 and 64 came into force on the following day.

## NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

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

The following provisions of the Planning (Scotland) Act 2019 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>
Sections 1, 2 and 10	8 November 2019	<a href="#">S.S.I. 2019/314</a>
Sections 3, 5, 7, 11, 14 and 62 and paragraph 9 of schedule 2 (for limited purposes)	8 November 2019	<a href="#">S.S.I. 2019/314</a>
Sections 25 and 42	20 December 2019	<a href="#">S.S.I. 2019/377</a>
Section 23	1 March 2020	<a href="#">S.S.I. 2019/377</a>
Section 18(1), (2) and (4)	1 December 2019	<a href="#">S.S.I. 2019/385</a>
Sections 20, 24, 29, 41, 47, 48, 49, 51, 52 and 53	1 December 2019	<a href="#">S.S.I. 2019/385</a>
Sections 26, 62 and paragraph 9 of schedule 2 (for limited purposes)	1 December 2019	<a href="#">S.S.I. 2019/385</a>
Sections 27 and 30	1 March 2020	<a href="#">S.S.I. 2019/385</a>