

## SCHEDULES

### SCHEDULE 9

#### LISTED BUILDINGS AND CONSERVATION AREAS

#### PART II

#### SCOTLAND

##### *Extent of exemption accorded to ecclesiastical buildings*

18 (1) After section 56 of the Town and Country Planning (Scotland Act 1972 insert—

**“56AA Power to restrict exemption of certain ecclesiastical buildings.**

- (1) The Secretary of State may by order provide for restricting or excluding in such cases as may be specified in the order the operation in relation to ecclesiastical buildings of sections 54(1) and 56(2) of this Act (buildings excepted from provisions relating to listed buildings and building preservation notices).
- (2) An order under this section may-
  - (a) make provision for buildings generally, for descriptions of building or for particular buildings ;
  - (b) make different provision for buildings in different areas, for buildings of different religious faiths or denominations or according to the use made of the building;
  - (c) make such provision in relation to a part of a building (including, in particular, an object or structure falling to be treated as part of the building by virtue of section 52(7) of this Act) as may be made in relation to a building and make different provision for different parts of the same building;
  - (d) make different provision with respect to works of different descriptions or according to the extent of the works ;
  - (e) make such consequential adaptations or modifications of the operation of any other provision of this Act, or of any instrument made under this Act, as appear to the Secretary of State to be appropriate.

(3) This section is without prejudice to the Church of Scotland Act 1921.”.

- (2) In section 273 (regulations and orders) of the Town and Country Planning (Scotland) Act 1972—
  - (a) in subsection (4) (orders to be made by statutory instrument), after " 53(3)" insert " 56AA " ;

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*Status: This is the original version (as it was originally enacted).*

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- (b) in subsection (5) (orders subject to negative resolution), after " 1(3)" insert " 56AA";
- (c) in subsection (9) (power to include supplementary and incidental provision), after " section " insert " 56AA " .