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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 84**

**The Planning (Trees) Regulations (Northern Ireland) 2015**

**PART 4**

**REVOCATION AND TRANSITIONAL PROVISIONS**

**Revocation and transitional provisions**

**11.**—(1) The Planning (Trees) Regulations (Northern Ireland) 2003<sup>(1)</sup> are revoked.

(2) Where before the commencement of these Regulations the Department made or confirmed any order, that order shall be treated as having been made or confirmed by the appropriate council.

(3) Anything which before the commencement of the Regulations was in the process of being done by, to or in relation to the Department in connection with any of the functions mentioned in paragraph (4) shall be treated as having been done by, to or in relation to the appropriate council.

(4) The functions mentioned in this paragraph are—

- (a) the making and confirmation of an order;
- (b) the revocation of an order;
- (c) the determination of an application for any consent required under an order and any appeal against that decision to the planning appeals commission; and
- (d) the making of any claims for compensation under any order.

(5) Section 59 (matters which may be raised in an appeal under section 58) as modified by the Schedule does not apply to an appeal made to the planning appeals commission before the commencement of these Regulations which is not determined at that date.

(6) In this regulation “appropriate council” means the council in whose district the land on which the trees, groups of trees or woodlands to which the order relates is situated.

(7) Nothing in this regulation shall affect the generality of section 29(3)(a) of the Interpretation Act (Northern Ireland) 1954<sup>(2)</sup>.

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(1) S.R. 2003 No.444

(2) 1954 c.33 (N.I.)