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STATUTORY INSTRUMENTS

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**1994 No. 3292 (C.84) (S.191)**

**TOWN AND COUNTRY PLANNING, SCOTLAND**

**The Planning and Compensation Act 1991 (Commencement No.17 and Transitional Provision) (Scotland) Order 1994**

*Made - - - - 15th December 1994*

The Secretary of State, in exercise of the powers conferred on him by section 84(2) and (3) of the Planning and Compensation Act 1991(1) and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation**

1. This Order may be cited as the Planning and Compensation Act 1991 (Commencement No.17 and Transitional Provision) (Scotland) Order 1994.

**Interpretation**

2. In this Order—

“the 1972 Act” means the Town and Country Planning (Scotland) Act 1972(2);

“the 1991 Act” means the Planning and Compensation Act 1991.

**Provisions coming into force on 3rd February 1995**

3. The following provisions of the 1991 Act shall come into force on 3rd February 1995:—

section 44;

section 46;

section 61 insofar as it relates to the provisions of Schedule 13 referred to below;

section 84(6) insofar as it gives effect to the repeal in Part IV of Schedule 19 referred to below;

in Schedule 13 paragraphs 7(a)(i), 10(a) (insofar as not already in force) and (b), 11(b)(i), (ii) and (iv), 15, 40(1)(b) and (c), 41(3) and (4) and 42; and

in Part IV of Schedule 19 the entry in respect of section 28(1) of the 1972 Act.

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(1) 1991 c. 34.

(2) 1972 c. 52.

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### **Transitional provision**

4. Section 44 of, and paragraph 40(1)(c) of Schedule 13 to, the 1991 Act shall not have effect so far as they relate to the demolition of a building on land in a case where, before 3rd February 1995 planning permission has been granted under Part III of the 1972 Act (except under article 3 of, and Schedule 1 to, the Town and Country Planning (General Permitted Development) (Scotland) Order 1992<sup>(3)</sup>), or has been deemed to be granted under that Part of that Act, for the redevelopment of the land.

St Andrew's House,  
Edinburgh  
15th December 1994

*Allan Stewart*  
Parliamentary Under Secretary of State, Scottish  
Office

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(3) [S.I. 1992/223](#); to which there are amendments not relevant for the purposes of this Order.

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## EXPLANATORY NOTE

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

This Order brings into force on 3rd February 1995 the following provisions of the Planning and Compensation Act 1991 in relation to Scotland:—

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section 44	(demolition of buildings)
section 46	(notice etc. of applications to owners and agricultural tenants)
section 61 and parts of Schedule 13, and section 84(6) and a paragraph of Schedule 19	certain minor and consequential amendments and a repeal.

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## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of the Planning and Compensation Act 1991 have been brought into force by commencement orders made before the date of this Order:

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Provision	Date of Commencement	S.I.No.
s.1 (England and Wales)	2 January 1992	1991/2905
s.2 (England and Wales)	27 July 1992	1992/1630
s.3 (partially) (England and Wales)	25 November 1991	1991/2728
s.3 (so far as not yet in force) (England and Wales)	2 January 1992	1991/2905
s.4 (partially) (England and Wales)	2 January 1992	1991/2905
s.4 (so far as not yet in force) (England and Wales)	27 July 1992	1992/1630
s.5 (partially) (England and Wales)	25 November 1991	1991/2728
s.5 (so far as not yet in force) (England and Wales)	2 January 1992	1991/2905
s.6(5) (partially) (England and Wales)	25 November 1991	1991/2728
s.6(6) (England and Wales)	13 October 1991	1991/2272
s.6 (so far as not yet in force) (England and Wales)	2 January 1992	1991/2905

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Provision	Date of Commencement	S.I.No.
ss.7, 8 and 9 (England and Wales)	2 January 1992	1991/2905
s.10 (partially) (England and Wales)	25 November 1991	1991/2728
s.10 (so far as not yet in force) (England and Wales)	27 July 1992	1992/1630
s.11 (England and Wales)	2 January 1992	1991/2905
s.12(1) (partially) (England and Wales)	25 October 1991	1991/2272
s.12(1) (partially) (England and Wales)	25 November 1991	1991/2728
s.12(1) (so far as not yet in force) (England and Wales)	9 November 1992	1992/2831
s.12(2), (3) (England and Wales)	25 October 1991	1991/2272
s.13(1) (England and Wales)	27 July 1992	1992/1279
s.13(2) (partially) (England and Wales)	25 November 1991	1991/2728
s.13(2) (so far as not yet in force) (England and Wales)	27 July 1992	1992/1279
s.13(3) (England and Wales)	27 July 1992	1992/1279
s.14 (England and Wales)	2 January 1992	1991/2905
s.15 (England and Wales)	25 September 1991	1991/2067
s.16 (partially) (England and Wales)	25 November 1991	1991/2728
s.16 (so far as not yet in force) (England and Wales)	17 July 1992	1992/1491
ss.17 and 18 (England and Wales)	25 September 1991	1991/2067
s.19 (partially) (England and Wales)	25 November 1991	1991/2728
s.19 (partially) (England and Wales)	2 January 1992	1991/2905
s.19 (so far as not yet in force) (England and Wales)	6 April 1992	1992/665
s.20 (partially) (England and Wales)	25 November 1991	1991/2728
s.20 (so far as not yet in force) (England and Wales)	17 July 1992	1992/1491

Provision	Date of Commencement	S.I.No.
ss.21 and 22 (England and Wales)	25 September 1991	<a href="#">1991/2067</a>
s.23(7) (partially) (England and Wales)	25 November 1991	<a href="#">1991/2728</a>
s.23 (so far as not yet in force) (England and Wales)	2 January 1992	<a href="#">1991/2905</a>
s.24 (England and Wales)	6 April 1992	<a href="#">1992/665</a>
s.25 (partially) (England and Wales)	25 September 1991	<a href="#">1991/2067</a>
s.25 (partially) (England and Wales)	25 November 1991	<a href="#">1991/2728</a>
s.25 (so far as not yet in force) (England and Wales)	2 January 1992	<a href="#">1991/2905</a>
s.26 (England and Wales)	25 September 1991	<a href="#">1991/2067</a>
s.27 (partially) (England and Wales)	25 November 1991	<a href="#">1991/2728</a>
s.27 (so far as not yet in force) (England and Wales)	10 February 1992	<a href="#">1991/2905</a>
s.28 (partially) (England and Wales)	25 November 1991	<a href="#">1991/2728</a>
s.28 (so far as not yet in force) (England and Wales)	9 November 1992	<a href="#">1992/2413</a>
s.29 (England and Wales)	25 September 1991	<a href="#">1991/2067</a>
s.30 (partially) (England and Wales)	2 January 1992	<a href="#">1991/2728</a>
s.31 (so far as not already in force) (England and Wales)	25 September 1991	<a href="#">1991/2067</a>
s.32 (partially) (England and Wales)	25 September 1991	<a href="#">1991/2067</a>
s.32 (partially) (England and Wales)	25 October 1991	<a href="#">1991/2272</a>
s.32 (partially) (England and Wales)	25 November 1991	<a href="#">1991/2728</a>
s.32 (partially) (England and Wales)	2 January 1992	<a href="#">1991/2905</a>
s.32 (partially) (England and Wales)	10 February 1992	<a href="#">1991/2905</a>
s.32 (partially) (England and Wales)	6 April 1992	<a href="#">1992/665</a>
s.32 (partially) (England and Wales)	17 July 1992	<a href="#">1992/1491</a>

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Provision	Date of Commencement	S.I.No.
s.32 (partially) (England and Wales)	27 July 1992	1992/1279
s.32 (partially) (England and Wales)	27 July 1992	1992/1630
s.32 (partially) (England and Wales)	9 November 1992	1992/2831
s.33 (Scotland)	26 March 1992	1992/334
s.34 (partially) (Scotland)	10 August 1992	1992/1937
s.34 (so far as not yet in force) (Scotland)	25 September 1992	1992/1937
s.35 (Scotland)	26 March 1992	1992/334
s.36 (partially) (Scotland)	26 March 1992	1992/334
s.36 (so far as not yet in force) (Scotland)	25 September 1992	1992/1937
s.37 (partially) (Scotland)	24 February 1992	1992/334
s.37 (so far as not yet in force) (Scotland)	26 March 1992	1992/334
ss.38 to 41 (Scotland)	26 March 1992	1992/334
s.42 (partially) (Scotland)	10 August 1992	1992/1937
s.42 (so far as not yet in force) (Scotland)	25 September 1992	1992/1937
s.43 (Scotland)	26 March 1992	1992/334
s.45 (Scotland)	10 August 1992	1992/1937
ss.47 and 48 (Scotland)	25 September 1991	1991/2092
s.49 (Scotland)	24 January 1992	1992/71
s.50 (Scotland)	25 September 1991	1991/2092
s.51 (Scotland)	24 January 1992	1992/71
s.52 (Scotland)	24 January 1992	1992/71
s.53 (Scotland)	24 January 1992	1992/71
s.54 (Scotland)	26 March 1992	1992/334
s.55 (Scotland)	10 August 1992	1992/1937
s.56 (Scotland)	26 March 1992	1992/334
s.57 (partially) (Scotland)	25 September 1991	1991/2092
s.57 (partially) (Scotland)	26 March 1992	1992/334
s.57 (partially) (Scotland)	18 February 1993	1993/275
s.57 (partially) (Scotland)	1 May 1993	1993/275
s.58 (Scotland)	7 March 1994	1994/398

Provision	Date of Commencement	S.I.No.
s.60 (partially) (Scotland)	25 September 1991	<a href="#">1991/2092</a>
s.61 (partially) (Scotland)	25 September 1991	<a href="#">1991/2092</a>
s.61 (partially) (Scotland)	13 October 1991	<a href="#">1991/2272</a>
s.61 (partially) (Scotland)	26 March 1992	<a href="#">1992/334</a>
s.61 (partially) (Scotland)	10 August 1992	<a href="#">1992/1937</a>
s.61 (partially) (Scotland)	25 September 1992	<a href="#">1992/1937</a>
s.61 (partially) (Scotland)	7 March 1994	<a href="#">1994/398</a>
ss.62 to 69 (England and Wales)	25 September 1991	<a href="#">1991/2067</a>
s.70 (partially) (England and Wales)	25 September 1991	<a href="#">1991/2067</a>
s.70 (so far as not yet in force) (England and Wales)	2 January 1992	<a href="#">1991/2728</a>
ss.71 to 79 (Scotland)	25 September 1991	<a href="#">1991/2092</a>
s.80 (partially) (England and Wales)	25 September 1991	<a href="#">1991/2067</a>
s.80 (partially) (Scotland)	25 September 1991	<a href="#">1991/2092</a>
s.80 (so far as not yet in force) (England and Wales)	2 January 1992	<a href="#">1991/2728</a>
s.81 (England and Wales)	25 September 1991	<a href="#">1991/2067</a>
s.82 (Scotland)	26 March 1992	<a href="#">1992/334</a>
s.83 (England, Wales, Scotland and Northern Ireland)	25 October 1991	<a href="#">1991/2272</a>
s.84(6) (partially) (England and Wales)	25 September 1991	<a href="#">1991/2067</a>
s.84(6) (partially) (Scotland)	25 September 1991	<a href="#">1991/2092</a>
s.84(6) (partially) (England and Wales)	2 January 1992	<a href="#">1991/2905</a>
s.84(6) (partially) (England and Wales)	10 February 1992	<a href="#">1991/2905</a>
s.84(6) (partially) (England and Wales)	6 April 1992	<a href="#">1992/665</a>
s.84(6) (partially) (Scotland)	26 March 1992	<a href="#">1992/334</a>
s.84(6) (partially) (England and Wales)	17 July 1992	<a href="#">1992/1491</a>
s.84(6) (partially) (England and Wales)	27 July 1992	<a href="#">1992/1630</a>
s.84(6) (partially) (Scotland)	25 September 1992	<a href="#">1992/1937</a>

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Provision	Date of Commencement	S.I.No.
s.84(6) (partially) (England and Wales)	9 November 1992	1992/2831
Schedules 1 and 2 (England and Wales)	25 September 1991	1991/2067
Schedule 3 (partially) (England and Wales)	25 September 1991	1991/2067
Schedules 3 to 5 (partially) (England and Wales)	25 November 1991	1991/2728
Schedule 3 (so far as not yet in force) (England and Wales)	2 January 1992	1991/2905
Schedule 4 (partially) (England and Wales)	25 November 1991	1991/2728
Schedule 4 (so far as not yet in force) (England and Wales)	10 February 1992	1991/2905
Schedule 5 (partially) (England and Wales)	25 November 1991	1991/2728
Schedule 6 (so far as not yet in force) (England and Wales)	25 September 1991	1991/2067
Schedule 7 (partially) (England and Wales)	25 September 1991	1991/2067
Schedule 7 (partially) (England and Wales)	25 October 1991	1991/2272
Schedule 7 (partially) (England and Wales)	25 November 1991	1991/2728
Schedule 7 (partially) (England and Wales)	2 January 1992	1991/2905
Schedule 7 (partially) (England and Wales)	10 February 1992	1991/2905
Schedule 7 (partially) (England and Wales)	6 April 1992	1992/665
Schedule 7 (partially) (England and Wales)	27 July 1992	1992/1630
Schedule 7 (partially) (England and Wales)	9 November 1992	1992/2831
Schedule 8 (Scotland)	24 January 1992	1992/71
Schedule 9 (Scotland)	24 January 1992	1992/71
Schedule 10 (partially) (Scotland)	25 September 1991	1991/2092
Schedule 10 (partially) (Scotland)	26 March 1992	1992/334



Provision	Date of Commencement	S.I.No.
Schedule 10 (partially) (Scotland)	18 February 1993	1993/275
Schedule 10 (partially) (Scotland)	1 May 1993	1993/275
Schedule 12 (Scotland)	25 September 1991	1991/2092
Schedule 13 (partially) (Scotland)	25 September 1991	1991/2092
Schedule 13 (partially) (Scotland)	13 October 1991	1991/2272
Schedule 13 (partially) (Scotland)	26 March 1992	1992/334
Schedule 13 (partially) (Scotland)	10 August 1992	1992/1937
Schedule 13 (partially) (Scotland)	25 September 1992	1992/1937
Schedule 13 (partially) (Scotland)	7 March 1994	1994/398
Schedule 14 (England and Wales)	25 September 1991	1991/2067
Schedule 15 (partially) (England and Wales)	25 September 1991	1991/2067
Schedule 15 (so far as not yet in force) (England and Wales)	2 January 1992	1991/2728
Schedules 16 and 17 (Scotland)	25 September 1991	1991/2092
Schedule 18 (partially) (England and Wales)	25 September 1991	1991/2067
Schedule 18 (partially) (Scotland)	25 September 1991	1991/2092
Schedule 18 (so far as not yet in force) (England and Wales)	2 January 1992	1991/2728
Schedule 19 (partially) (England, Wales and Scotland)	25 September 1991	1991/2067
Schedule 19 (partially) (Scotland)	25 September 1991	1991/2092
Schedule 19 (partially) (England and Wales)	2 January 1992	1991/2905
Schedule 19 (partially) (England and Wales)	10 February 1992	1991/2905
Schedule 19 (partially) (Scotland)	26 March 1992	1992/334

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Schedule 19 (partially) (England and Wales)	6 April 1992	<a href="#">1992/665</a>
Schedule 19 (partially) (England and Wales)	17 July 1992	<a href="#">1992/1491</a>
Schedule 19 (partially) (England and Wales)	27 July 1992	<a href="#">1992/1630</a>
Schedule 19 (partially) (Scotland)	25 September 1992	<a href="#">1992/1937</a>
Schedule 19 (partially) (England and Wales)	9 November 1992	<a href="#">1992/2831</a>