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SCOTTISH STATUTORY INSTRUMENTS

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**2009 No. 378**

**TOWN AND COUNTRY PLANNING**

**The Planning (Control of Major–Accident Hazards) (Scotland) Regulations 2009**

*Made* - - - - 29th October 2009  
*Laid before the Scottish Parliament* - - - - 30th October 2009  
*Coming into force* - - 23rd November 2009

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 2, 3, and 39(1) of the Planning (Hazardous Substances) (Scotland) Act 1997<sup>(1)</sup>, sections 8(1)(b) and 16(2)(b) of the Town and Country Planning (Scotland) Act 1997<sup>(2)</sup> and all other powers enabling them to do so.

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(1) 1997 c.10; section 38(2) attracts the definition of “prescribed” from section 277(1) of the Town and Country Planning (Scotland) Act 1997 (c.8). The functions of the Secretary of State under these sections in or as regards Scotland were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(2) 1997 c.8. Sections 8(1)(b) and 16(2)(b) were inserted by section 2 of the Planning etc. (Scotland) Act 2006 (asp 17). The definition of prescribed is found in section 277(1) of the Town and Country Planning (Scotland) Act 1997 (“the 1997 Act”). The functions of the Secretary of State under the 1997 Act in or as regards Scotland were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).