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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 100**

**The Planning (Scotland) Act 2019 (Commencement No. 12 and Saving and Transitional Provisions) Regulations 2023**

**Saving and transitional provisions – local development plans**

4.—(1) This regulation applies in relation to a local development plan in respect of which notice of the proposed local development plan is published in a local newspaper in accordance with regulation 12(2)(a) of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008(1) before 12 February 2023.

(2) Subject to paragraph (5), where this regulation applies—

- (a) the provisions of the 1997 Act specified in paragraph (3) continue to have effect as they did immediately before 19 May 2023 for the purposes of that local development plan, and
- (b) the provisions of the 1997 Act specified in paragraph (4) do not apply for the purposes of that local development plan.

(3) The provisions are—

- (a) section 15 (form and content of local development plans),
- (b) section 16(1) to (5), (7) and (8)(2) (preparation and monitoring of local development plans: general),
- (c) section 18 (preparation and publication of local development plan),
- (d) section 19 (examination of proposed local development plan),
- (e) section 19A (further provision as regards examination under section 19(4)),
- (f) section 20 (constitution of local development plan),
- (g) section 20A (publication of and publicity for local development plans).

(4) The provisions are—

- (a) section 15A (preparation of local development plans: invitation to prepare local place plans),
- (b) section 16A (participation of children and young people in local development plans),
- (c) section 16B (evidence report for preparation of local development plans),
- (d) section 19ZA (examination under section 19(3):further provision).

(5) For the purposes of the application of the duty to review a local development plan in accordance with section 16(1)(b) and (8) of the 1997 Act, section 15(5) applies as amended by the Act(3).

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(1) [S.S.I. 2008/426](#) to which there are amendments which are not relevant to these Regulations.

(2) Section 16(6) was repealed by paragraph 1(2) of schedule 2 of the Planning (Scotland) Act 2019 on 12 February 2023 ([S.S.I. 2023/10](#)).

(3) Section 15(5) is amended by section 7(2)(e) of the Planning (Scotland) Act 2019 which was itself amended by [S.S.I. 2019/424](#).