



Town and Country Planning Act 1990

1990 CHAPTER 8

PART XI

STATUTORY UNDERTAKERS

Preliminary

265 Meaning of “the appropriate Minister”.

- (1) Subject to the following provisions of this section, in this Act “the appropriate Minister” means—
- ^{F1}(a)
 - (b) in relation to statutory undertakers carrying on an undertaking for the supply of hydraulic power, the [^{F2}Secretary of State for Trade and Industry];
 - (c) in relation to [^{F3}a universal postal service provider], the Secretary of State for Trade and Industry; and
 - [^{F4}(d) in relation to any other statutory undertakers or the Civil Aviation Authority, the Secretary of State for the Environment, Transport and the Regions.]
- (2) For the purposes of sections 170(12), 266 to 280, 325(9) and 336(2) and (3) and Part II of Schedule 8, “the appropriate Minister”, in relation to a [^{F5}public gas transporter] or a holder of a licence under section 6 of the ^{M1}Electricity Act 1989, means the [^{F2}Secretary of State for Trade and Industry].
- (3) For the purposes of sections 170(12), 266 to 280, 325(9) and 336(2) and (3) and Part II of Schedule 8 and Schedule 14 “the appropriate Minister”—
- (a) in relation to the National Rivers Authority, means the Secretary of State or the Minister of Agriculture, Fisheries and Food; and
 - (b) in relation to a water or sewerage undertaker, means the Secretary of State.
- (4) References in this Act to the Secretary of State and the appropriate Minister—

Status: Point in time view as at 26/03/2001. This version of this provision has been superseded.

Changes to legislation: Town and Country Planning Act 1990, Section 265 is up to date with all changes known to be in force on or before 29 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) if the appropriate Minister is not the one concerned as the Secretary of State, shall be construed as references to the Secretary of State and the appropriate Minister; and
- (b) if the one concerned as the Secretary of State is also the appropriate Minister, shall be construed as references to him alone,

and similarly with references to a Minister and the appropriate Minister and with any provision requiring the Secretary of State to act jointly with the appropriate Minister.

Textual Amendments

- F1** S. 265(1)(a) repealed (26.1.1998) by S.I. 1997/2971, art. 6(1), Sch. paras. 11, **14(a)**
- F2** Words in s. 265(1)(2) substituted (5.7.1992) by S.I. 1992/1314, art. 3(3), **Sch. para. 1(f)**
- F3** Words in s. 265(1)(c) substituted (26.3.2001) by S.I. 2001/1149, art. 3(1), **Sch. 1 para. 82**
- F4** S. 265(1)(d) substituted (26.1.1998) by S.I. 1997/2971, art. 6(1), Sch. paras. 11, **14(b)**
- F5** Words in s. 265(2) substituted (1.3.1996) by 1995 c. 45, s. 16(1), **Sch. 4 para. 18(3)**; S.I. 1996/218, **art. 2**

Marginal Citations

- M1** 1989 c. 29.

Status:

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