



# Town and Country Planning (Scotland) Act 1997

## 1997 CHAPTER 8

### PART X

#### STATUTORY UNDERTAKERS

##### *Preliminary*

#### **217 Meaning of “the appropriate Minister”.**

- (1) Subject to the following provisions of this section, in this Act “the appropriate Minister” means—
- (a) in relation to statutory undertakers carrying on any railway, light railway, tramway, road transport, dock, harbour, pier or lighthouse undertaking, the Civil Aviation Authority or a relevant airport operator (within the meaning of Part V of the <sup>M1</sup>Airports Act 1986), the Secretary of State for Transport;
  - (b) in relation to statutory undertakers carrying on an undertaking for the supply of hydraulic power and the Post Office, the Secretary of State for Trade and Industry;
  - (c) in relation to statutory undertakers carrying on an undertaking for the supply of water, the Secretary of State for Scotland; and
  - (d) in relation to any other statutory undertakers, the Secretary of State for the Environment.
- (2) For the purposes of sections 121(11), 218 to 233, 270(9) and 277(2) and (3) and paragraph 6 of Schedule 6, “the appropriate Minister”—
- (a) in relation to a public gas transporter, means the Secretary of State for Trade and Industry; and
  - (b) in relation to a holder of a licence under section 6 of the <sup>M2</sup>Electricity Act 1989, means the Secretary of State.
- (3) References in this Act to the Secretary of State and the appropriate Minister—

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*Status: Point in time view as at 27/05/1997. This version of this provision has been superseded.*

*Changes to legislation: Town and Country Planning (Scotland) Act 1997, Section 217 is up to date with all changes known to be in force on or before 16 July 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)*

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- (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 the Secretary of State 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.

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**Modifications etc. (not altering text)**

- C1** S. 217(1) extended (27.5.1997) by 1997 c. 9, **ss. 78(10)**, 83(2) (with s. 45(4))  
S. 217(1) extended (27.5.1997) by 1997 c. 10, **ss. 35(8)**, 40(2) (with ss. 9(3), 10(5), 38(6))
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**Marginal Citations**

- M1** 1986 c. 31.  
**M2** 1989 c. 29.

**Status:**

Point in time view as at 27/05/1997. This version of this provision has been superseded.

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