



Planning Act 2008

2008 CHAPTER 29

PART 2

NATIONAL POLICY STATEMENTS

13 Legal challenges relating to national policy statements

- (1) A court may entertain proceedings for questioning a national policy statement or anything done, or omitted to be done, by the Secretary of State in the course of preparing such a statement only if—
 - (a) the proceedings are brought by a claim for judicial review, and
 - (b) the claim form is filed during the period of 6 weeks beginning with—
 - (i) the day on which the statement is designated as a national policy statement for the purposes of this Act, or
 - (ii) (if later) the day on which the statement is published.
- (2) A court may entertain proceedings for questioning a decision of the Secretary of State not to carry out a review of all or part of a national policy statement only if—
 - (a) the proceedings are brought by a claim for judicial review, and
 - (b) the claim form is filed during the period of 6 weeks beginning with the day of the decision not to carry out the review.
- (3) A court may entertain proceedings for questioning a decision of the Secretary of State to carry out a review of all or part of a national policy statement only if—
 - (a) the proceedings are brought by a claim for judicial review, and
 - (b) the claim form is filed during the period of 6 weeks beginning with the day on which the Secretary of State complies with section 6(5) in relation to the review concerned.
- (4) A court may entertain proceedings for questioning anything done, or omitted to be done, by the Secretary of State in the course of carrying out a review of all or part of a national policy statement only if—
 - (a) the proceedings are brought by a claim for judicial review, and

Status: Point in time view as at 06/04/2009. This version of this provision has been superseded.

Changes to legislation: Planning Act 2008, Section 13 is up to date with all changes known to be in force on or before 31 May 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)

- (b) the claim form is filed during the period of 6 weeks beginning with the day on which the Secretary of State complies with section 6(5) in relation to the review concerned.
- (5) A court may entertain proceedings for questioning anything done by the Secretary of State under section 6(5) after completing a review of all or part of a national policy statement only if—
- (a) the proceedings are brought by a claim for judicial review, and
 - (b) the claim form is filed during the period of 6 weeks beginning with the day on which the thing concerned is done.
- (6) A court may entertain proceedings for questioning a decision of the Secretary of State as to whether or not to suspend the operation of all or part of a national policy statement under section 11 only if—
- (a) the proceedings are brought by a claim for judicial review, and
 - (b) the claim form is filed during the period of 6 weeks beginning with the day of the decision.

Commencement Information

II S. 13 in force at 6.4.2009 by [S.I. 2009/400](#), **art. 3(a)**

Status:

Point in time view as at 06/04/2009. This version of this provision has been superseded.

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