
 STATUTORY INSTRUMENTS

1973 No. 1395

COUNTRYSIDE

**The National Parks and Access to the Countryside
(Isles of Scilly) Order 1973**

Made - - - - - *2nd August 1973*

Coming into Operation *5th September 1973*

The Secretary of State for the Environment, after consultation with the Council of the Isles of Scilly, in exercise of the powers conferred by section 111 of the National Parks and Access to the Countryside Act 1949(a) and now vested in him(b) and of all other powers enabling him in that behalf, hereby orders as follows:—

1. This order may be cited as the National Parks and Access to the Countryside (Isles of Scilly) Order 1973 and shall come into operation on 5th September 1973.

2. The Interpretation Act 1889(c) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

3. In this order, unless the context otherwise requires—

“the Acts” means the National Parks and Access to the Countryside Act 1949 and the Countryside Act 1968(d);

“the Isles” means the Isles of Scilly as defined by the Isles of Scilly Order 1943(e);

“the said council” means the Council of the Isles as constituted under the Isles of Scilly Order 1943.

4.—(1) The Acts shall apply to the Isles as if those Isles were a separate county subject to the following modifications:—

(a) the local planning authority for the purposes of the Acts shall be the said council;

(b) any reference to the council of a county shall include a reference to the said council:

Provided that any provision as to consultation between a local planning authority or the council of a county and the council of a county district, or as

(a) 1949 c. 97.

(b) S.I. 1951/142, 1900, 1970/1681 (1951 I, pp. 1348, 1347; 1970 III, p. 5551).

(c) 1889 c. 63.

(d) 1968 c. 41.

(e) S.R. & O. 1943/107 (Rev. XII, p. 558; 1943 I, p. 602).

to the giving of notice or consent by one such authority or council to another shall not apply.

(2) Any order, scheme, rule, regulation or direction made or given (whether before or after the coming into operation of this order) under the Acts shall in its application to the Isles be construed in accordance with the provisions of paragraph (1) of this Article.

Signed by authority of
the Secretary of State.
2nd August 1973.

G. M. Patrick,
An Under Secretary in the
Department of the Environment.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 111 of the National Parks and Access to the Countryside Act 1949 empowers the Secretary of State for the Environment after consultation with the Council of the Isles of Scilly to provide by Order for the application of the provisions of that Act and the Countryside Act 1968 to the Isles of Scilly as if those Isles were a separate county. In section 111 of the 1949 Act references to that Act had by section 46 of the 1968 Act been made to include references to the 1968 Act. This Order applies all of the said provisions of the said Acts to the Isles as though they were a separate county and subject to the modifications which are set out in Article 4(1).

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