
STATUTORY INSTRUMENTS

1991 No. 2092

The Planning and Compensation Act 1991 (Commencement No. 2 and Transitional Provisions) (Scotland) Order 1991

Cases where commencement limited

4. –

(1) The provisions of the 1991 Act mentioned in Part I of Schedule 2 to this Order shall not have effect in a case where any of the following events occurs before the commencement date in relation to the matter specified–

- (a) in relation to a compulsory purchase order not made by a Minister, the compulsory purchase order is made;
- (b) in relation to a compulsory purchase order made by a Minister, paragraph 3 of Schedule 1 of the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947((1)) as applied by paragraph 7(4) of that Schedule has been complied with;
- (c) in relation to a purchase notice within the meaning of Part IX of the Town and Country Planning (Scotland) Act 1972((2)), the following events:–
 - (i) in the case of a purchase notice served in accordance with section 169(1) of that Act, planning permission is refused or granted subject to conditions;
 - (ii) in the case of a purchase notice served in accordance with section 177(1) of that Act, planning permission is revoked or modified by the imposition of conditions by way of an order under section 42 of the Act;
 - (iii) in the case of a purchase notice served in accordance with section 178(1) of that Act, an order is made under section 49 of the Act;
- (d) in relation to a blight notice within the meaning of subsection (6) of section 181 of the said 1972 Act((3)), the land falls within any of the descriptions set out at subsection (1) of that section.

(2) A provision of the 1991 Act mentioned in the first column of an entry in Part II of Schedule 2 to this Order shall not have effect in a case where the date shown against that provision in the second column of the entry is, in relation to that case, before the commencement date.

(3) In Part II of that Schedule, except where a contrary intention appears–

- (a) an expression used in an entry in the second column which is also used in the provision of an Act mentioned in the corresponding entry in the first column has the same meaning as in that provision; and
- (b) a reference in an entry in the second column to a provision or Part of an Act is a reference to a provision or Part of the Act (other than the 1991 Act) mentioned in the corresponding entry in the first column.

(1) 1947 c. 42; paragraph 3 of Schedule 1 was modified by the Town and Country Planning (Scotland) Act 1972 (c. 52), section 107(3); section 107(3) of the 1972 Act was amended by the Local Government (Scotland) Act 1973 (c. 65), Schedule 23, paragraph 22(b).

(2) 1972 c. 52.

(3) Section 181(6) was amended by the Land Compensation (Scotland) Act 1973 (c. 56), sections 71(2)(b) and 77(2).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
