
STATUTORY INSTRUMENTS

2004 No. 2202

**The Planning and Compulsory Purchase Act
2004 (Commencement No.2, Transitional
Provisions and Savings) Order 2004**

Citation and interpretation

1.—(1) This Order may be cited as the Planning and Compulsory Purchase Act 2004 (Commencement Order No.2, Transitional Provisions and Savings) Order 2004.

(2) In this Order, “the Act” means the Planning and Compulsory Purchase Act 2004.

Provisions coming into force on 28th September 2004 in relation to England

2. Subject to article 4, the following provisions of the Act shall come into force on 28th September 2004, in relation to England—

- (a) Part 1, so far as it is not yet in force;
- (b) Part 2, so far as it is not yet in force;
- (c) Section 38
- (d) Section 39;
- (e) Section 113;
- (f) Section 114 so far as it relates to Part 2 of the Act;
- (g) Section 119(1), so far as it is not yet in force;
- (h) in Schedule 6, paragraphs 1, so far as it is not yet in force, paragraphs 8 to 13, 15, 16(1) and (2), 17 and 18, paragraph 19, so far as it is not yet in force, and paragraphs 21, 22 and 25;
- (i) in Schedule 7, paragraphs 2, 3, 6, 8, 11(1) to (3), 16 and 17, paragraph 19(2), so far as it is not yet in force and paragraphs 22 and 23;
- (j) Schedule 8, so far as it is not yet in force;
- (k) Schedule 9, so far as it gives effect to the repeals specified in Part 1 of Schedule 1 to this Order.

Provisions coming into force on 28th September 2004 in relation to England and Wales

3. Subject to article 4, the following provisions of the Act shall come into force on 28th September 2004 in relation to England and Wales—

- (a) Part 5, so far as it is not yet in force;
- (b) Section 117(1) to (7), so far as it is not yet in force;
- (c) Section 118, except so much of subsection (2) as relates to the Town and Country Planning (Scotland) Act 1997(1), and so far as it is not yet in force;

Status: This is the original version (as it was originally made).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

- (d) Section 120, except so far as it relates to the Town and Country Planning (Scotland) Act 1997, to the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997(2) and to the Planning (Hazardous Substances)(Scotland) Act 1997(3), and so far as it is not yet in force;
- (e) in Schedule 6, paragraphs 20, 23, 24 and 26, so far as they are not yet in force;
- (f) Schedule 9, so far as it gives effect to the repeals specified in Part 2 of Schedule 1 to this Order.

Transitional provisions and savings

4. The provisions set out in Schedule 2 shall continue to have effect on and after 28th September 2004

- (a) for the purposes of Schedule 8 to the Act (Transitional Provisions: Parts 1 and 2) and any regulations made pursuant to paragraphs 17 and 18 of that Schedule; and
- (b) in respect of the Isles of Scilly,

as if those provisions had not been amended or repealed by the Act.

Signed by authority of the First Secretary of State

26th August 2004

Nick Raynsford
Minister of State,
Office of the Deputy Prime Minister

(2) 1997 c. 9 (S).
(3) 1997 c. 10 (S).