
EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order brings into force on 28th September 2004, in relation to England, the following provisions of the Planning and Compulsory Purchase Act 2004 (“the Act”) in so far as they are not already in force –

- Part 1 (regional functions);
- Part 2 (local development);
- Section 38 (reference to development plan in any enactment);
- Section 39 (sustainable development);
- Section 113 (validity of strategies, plans and documents);
- Section 114 so far as it relates to Part 2 of the Act (examination of a document or plan is a statutory inquiry);
- Section 119(1) (transitional provisions);
- Schedule 6, paragraphs 1, 8 to 13, 15, 16(1) and (2), 17 to 19, 21, 22 and 25 (amendments of the planning Acts);
- Schedule 7, paragraphs 2, 3, 6, 8, 11(1) to (3), 16, 17, 19(2), 22 and 23 (amendments of other enactments);
- Schedule 8 (transitional provisions for Parts 1 and 2 of the Act) and
- Schedule 9, so far as it gives effect to the repeals specified in Part 1 of Schedule 1 to this Order.

Article 3 of this Order brings into force on 28th September 2004, in relation to England and Wales, the following provisions of the Act 2004 in so far as they are not already in force–

- Part 5 (correction of errors);
- Section 117(1) to (7) (interpretation);
- Section 118, except subsection (2) so far as it relates to the Town and Country Planning (Scotland) Act 1997 (amendments);
- 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 and to the Planning (Hazardous Substances)(Scotland) Act 1997 (repeals);
- Schedule 6, paragraphs 20, 23, 24 and 26 (amendments of the planning Acts) and
- Schedule 9, so far as it gives effect to the repeals specified in Part 2 of Schedule 1 to this Order.

Article 4 of this Order makes transitional and savings provisions for the purposes of the transitional provisions contained in Schedule 8 to the Act and any regulations made pursuant to paragraph 17 of that Schedule, and in respect of the Isles of Scilly.