STATUTORY RULES OF NORTHERN IRELAND

# 2006 No. 225

# PLANNING APPEALS COMMISSION PROCEDURES

## Planning Appeals Commission (Decisions on Appeals and Making of Reports) Rules (Northern Ireland) 2006

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| *Made - - - -* | *19th May 2006* |
| *Coming into operation -* | *9th June 2006* |

The Office of the First Minister and deputy First Minister makes the following Rules in exercise of the powers conferred by Articles 111(5), (5A) and (5B) of The Planning (Northern Ireland) Order 1991(**a**) and now vested in it(**b**).

In accordance with Article 111(5) of that Order it has consulted with the appeals commission.

**Citation, commencement and interpretation**

**1.**—(1) These rules may be cited as the Planning Appeals Commission (Decisions on Appeals and Making of Reports) Rules (Northern Ireland) 2006 and shall come into operation on 9th June 2006.

(2) In these rules—

"appeals commission" means the Planning Appeals Commission;

"commissioner" means a member of the appeals commission;

"the Order" means The Planning (Northern Ireland) Order 1991.

**Decisions of the appeals commission**

**2.**—(1) A decision by the appeals commission on an appeal shall be taken by—

(a) a panel of not fewer than four commissioners; or

(b) a single commissioner;

appointed by the chief commissioner in that behalf.

(2) The chief commissioner or such appeal member as he may nominate shall act as chairman of the panel.

(3) The chairman of the panel, in addition to his vote as a member of the panel, shall have a casting vote.

(4) At any time before the issue of a decision on an appeal by a single commissioner, the chief commissioner may recover the appeal for decision by a panel of not fewer than four commissioners.

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(**a**) S.I.1991/1220(N.I.11) as amended by S.I.2003/430 (N.I.8), Article 32(2) and S.I.2006/1252(N.I.7), Article 15
(**b**) S.R.2001 No.229, Article 4(3)(b)

**Reports made by the appeals commission**

**3.**—(1) A report made by the appeals commission on an inquiry or hearing shall be made by

(a) a single commissioner; or

(b) a panel of commissioners;

appointed by the chief commissioner in that behalf.

(2) The chief commissioner or such panel member as he may nominate shall act as chairman of the panel.

(3) The chairman of the panel, in addition to his vote as a member of the panel, shall have a casting vote.

**Revocation**

**4.**—(1) The Decision on Appeals and Making of Report Rules (Northern Ireland) 2003(**a**) are revoked.

Sealed with the Official Seal of the Office of the First Minister and deputy First Minister on 19 May 2006

L.S.

*Deirdre Kenny*
A senior officer of the Office of the First Minister and deputy First Minister

(**a**) S.R. 2003 No.254

## EXPLANATORY NOTE

*(This note is not part of the Order)*

These Rules provide that decisions on appeal of the Planning Appeals Commission shall be taken by a panel of not less than 4 commissioners or a single commissioner appointed by the chief commissioner and make consequential provision (Rule 2).

The Rules further provide that reports of the Planning Appeals Commission shall be made by a single commissioner or a panel of commissioners appointed by the chief commissioner and make consequential provision (Rule 3).

These Rules revoke the Decisions on Appeals and Making of Reports Rules (Northern Ireland) 2003 (Rule 4).

Published and printed in the UK by The
Stationery Office Limited
under the authority and
superintendence of Carol
Tullo, Controller of
Her Majesty's Stationery
Office being the Government
Printer for Northern Ireland and
the Officer appointed to print the
Acts of the Northern Ireland Assembly

Dd. N2685. C1. 5/06. Gp. 130. 14567.