STATUTORY INSTRUMENTS

1968 No. 434 (S.42)

TOWN AND COUNTRY PLANNING, SCOTLAND

The Town and Country Planning (Building Preservation Order) (Scotland) Amendment Regulations 1968

Made - - - - 19*th March* 1968
Laid before Parliament 27*th March* 1968
Coming into Operation 1*st April* 1968

In exercise of the powers conferred on me by sections 27 and 107 of the Town and Country Planning (Scotland) Act 1947(a), and section 10 of the Civic Amenities Act 1967(b), and of all other powers enabling me in their behalf, I hereby make the following regulations:—

1.—(1) These regulations may be cited as the Town and Country Planning (Building Preservation Order) (Scotland) Amendment Regulations 1968, and these regulations and the Town and Country Planning (Building Preservation Order) (Scotland) Regulations 1948(c) may be cited together as the Town and Country Planning (Building Preservation Order) (Scotland) Regulations 1948 and 1968.

(2) These regulations shall come into operation on 1st April 1968.

(3) The Interpretation Act 1889(d) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

2. The Town and Country Planning (Building Preservation Order) (Scotland) Regulations 1948 are hereby amended as follows:—

(*a*) In regulation 2(1), after the definition of "the Act" there shall be added the following definition—
" 'the Act of 1967' means the Civic Amenities Act 1967;";

(*b*) In regulation 5, for the words "A notice given or served under paragraph (*c*) or (*d*) of the last preceding regulation shall state" there shall be substituted—

"A notice given or served under paragraph (*c*) or (*d*) of the last preceding regulation shall, in any case where the order contains a direction under section 10 (procedure for making building preservation orders) of the Act of 1967, state the effect of the direction, and shall in all cases also state";

(*c*) In paragraph (*c*) of regulation 8, the words "(except where the order is confirmed provisionally under the proviso to sub-section (4) of section 27 of the Act)" shall be deleted, and at the end there shall be added the following words—

"and (*d*) in any case where the order contains a direction under section 10 of the Act of 1967 and the Secretary of State, within the period of six

(a) 1947 c. 53.
(b) 1967 c. 69.
(c) S.I. 1948/2096 (Rev. XXII, p.897: 1948 I, p. 4241).
(d) 1889 c. 63.

months beginning with the date on which the order was made, notifies the local planning authority that he does not propose to confirm it, serve copies of that notice on the presons on whom notices have been served under paragraph (*d*) of regulation 4 hereof.".

William Ross.
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
19th March 1968.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These regulations amend the 1948 regulations governing the form, and procedure for the submission and confirmation, of building preservation orders made under section 27 of the Town and Country Planning (Scotland) Act 1947. They provide that where, by direction of a local planning authority, an order is to take immediate effect provisionally under section 10 of the Civic Amenities Act 1967, proper notice is given of the effect of the direction and (where appropriate) of any decision of the Secretary of State that the order should not be confirmed.