EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations replace the Town and Country Planning (Erection of Industrial Buildings) Regulations, 1948 (S.I. 1948 No. 1309) with the addition only of a proviso that a Board of Trade certificate that a particular development can be carried out consistently with the proper distribution of industry shall not be required in support of an application to develop land by the extension of an industrial building which (when extended) will have a floor space exceeding 5,000 square feet of which the aggregate of the floor space of that extension and every previous extension thereof carried out after the 1st July, 1948, and within three years of that application will not take up more than 5,000 square feet.

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5. ISLES OF SCILLY

The Town and Country Planning (Isles of Scilly) Order, 1949

1949 No. 1321

Made - - - -	12*th July*, 1949
Coming into Operation	1*st August*, 1949

The Minister of Town and Country Planning in pursuance of the powers conferred on him by Section 115 of the Town and Country Planning Act, 1947(**a**), and of all other powers enabling him in that behalf hereby makes the following Order.

Commencement and Citation

1. This Order may be cited as the Town and Country Planning (Isles of Scilly) Order, 1949, and shall come into operation on the 1st day of August, 1949.

Interpretation

2.—(1) In this Order

" the Act " means the Town and Country Planning Act, 1947 ;

" the Isles " means the Isles of Scilly as defined by the Isles of Scilly Order, 1943(**b**) ;

" the said Council " means the Council of the Isles as constituted under the Isles of Scilly Order, 1943 ;

(2) The Interpretation Act, 1889(**c**), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Application of Act to Isles of Scilly

3.—(1) The Act shall apply to the Isles as if the Isles were a separate county and subject to the following modifications :—

(*a*) the local planning authority for the purposes of the Act shall be the said Council ;

(**a**) 10 & 11 Geo. 6. c. 51. (**b**) S.R. & O. 1943 (No. 107) I, p. 602. (**c**) 52 & 53 Vict. c. 63.

(*b*) any reference to the council of a county shall include a reference to the said Council;

(*c*) any reference to a county district shall include a reference to the Isles and any reference to the council of a county district shall include a reference to the said Council;

Provided that any provision as to consultation between a local planning authority or the council of a county and the council of a county district, or as to the giving of notice by one such authority or council to another shall not apply;

(*d*) any reference to a court of quarter sessions shall be construed as a reference to the quarter sessions of the County of Cornwall;

(*e*) section 99 shall not apply;

(*f*) any reference to the appointed day shall be construed as a reference to the date on which this Order comes into operation and the definition of that expression in subsection (1) of section 119 of the Act shall be modified accordingly.

(2) Any order, scheme, rule, regulation or direction made or given (whether before or after the coming into force of this Order) under the Act shall in its application to the Isles be construed in accordance with the provisions of paragraph 1 of this Article.

(3) For the purpose of any claim made under the Claims for Depreciation of Land Values Regulations, 1948(**a**), (as amended by the Claims for Depreciation of Land Values (Period for Making Claims) Regulations, 1948(**b**) or the Claims for Depreciation of Land Values (Mineral Undertakings) Regulations, 1949(**c**), the period within which such a claim may be made shall commence on the date on which this Order comes into operation and end on the 28th February, 1950, and any reference in any of those Regulations to the 1st July, 1948 shall be construed as a reference to the date on which this Order comes into operation.

Given under the Official Seal of the Minister of Town and Country Planning this twelfth day of July, one thousand nine hundred and forty-nine.

(L.S.) *Lewis Silkin,*
Minister of Town and Country Planning.

EXPLANATORY NOTE

(*This Note is not part of this Order, but is intended to indicate its general purport.*)

Section 115 of the Town and Country Planning Act, 1947, requires the Minister of Town and Country Planning to provide for the application of that Act to the Isles of Scilly as if those Isles were a separate county. This Order applies the Act to the Isles accordingly, and makes modifications, which are set out in Article 3, in the Act and the subordinate legislation made thereunder.

(**a**) S.I. 1948 (No. 902) I, p. 4105. (**b**) S.I. 1948 (No. 2822) I, p. 4113.
(**c**) S.I. 1949 No. 1176, p. 4023 above.