

STATUTORY INSTRUMENTS

S.I. No. 599 of 2001

**PLANNING AND DEVELOPMENT ACT, 2000
(COMMENCEMENT) (NO. 3) ORDER, 2001**

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Planning and Development Act, 2000 (Commencement) (No. 3) Order, 2001

The Minister for the Environment and Local Government in exercise of the powers conferred on him by section 270 of the Planning and Development Act, 2000 (No. 30 of 2000) hereby orders as follows:

1. This Order may be cited as the Planning and Development Act, 2000 (Commencement) (No. 3) Order, 2001.
2. On 21 January, 2002, the following provisions of the Planning and Development Act, 2000 shall come into operation—
 - (a) section 2, insofar as it relates to the sections referred to in paragraphs (b) to (i) of this article,
 - (b) sections 3, 4, 6 and 8,
 - (c) Part IV, insofar as not previously commenced,
 - (d) Chapter II of Part VI,
 - (e) Part VII,
 - (f) sections 156, 157 and 158, insofar as they relate to prosecutions for offences under sections 58, 63, 91, 113, 114, 147, 148, 205 and 208,
 - (g) section 180,
 - (h) Part XIII,
 - (i) section 264 and the Sixth Schedule insofar as they relate to the repeals effected by article 4 of this Order, and
 - (j) section 268(1)(a), (b) and (c).

3. On 11 March, 2002, the following provisions of the Planning and Development Act, 2000, insofar as not previously commenced, shall come into operation—

- (a) section 2,
- (b) sections 5 and 7,
- (c) Part III,
- (d) Chapter III of Part VI,
- (e) Part VIII,
- (f) Part X,
- (g) Part XI,
- (h) Part XII and the Second, Third, Fourth and Fifth Schedules,
- (i) Part XV,
- (j) Part XVII,
- (k) Part XVIII, other than section 261,
- (l) section 264 and the Sixth Schedule, insofar as they relate to the repeals effected by article 5 of this Order,
- (m) section 265(1), (2) and (4), and
- (n) section 268(1)(d) and (3).

4. On 21 January, 2002,—

- (a) sections 3, 4, 6, 9, 42, 43, 44, 45, 46, 47, 48, 49 and 54 of the Local Government (Planning and Development) Act, 1963 (No. 28 of 1963), as amended,
- (b) sections 7, 8, 9, 10, 11, 12, 13, 21(3), 32, 33 and 34 of the Local Government (Planning and Development) Act, 1976 (No. 20 of 1976), as amended,
- (c) sections 4, 6, 9, 11, 13 and 14 of the Local Government (Planning and Development) Act, 1983 (No. 28 of 1983), as amended,
- (d) the Local Government (Planning and Development) Act, 1998 (No. 9 of 1998), insofar as not previously repealed, and
- (e) the Local Government (Planning and Development) Act, 1999 (No. 17 of 1999),

are repealed.

5. On 11 March, 2002, insofar as not previously repealed,—

- (a) the Local Government (Planning and Development) Act, 1963,
- (b) the Local Government (Planning and Development) Act, 1976,
- (c) the Local Government (Planning and Development) Act, 1982 (No. 21 of 1982) (other than section 6),
- (d) the Local Government (Planning and Development) Act, 1983,
- (e) the Local Government (Planning and Development) Act, 1990 (No. 11 of 1990),
- (f) sections 44 and 45 of the Local Government Act, 1991 (No. 11 of 1991),
- (g) the Local Government (Planning and Development) Act, 1992 (No. 14 of 1992), and
- (h) the Local Government (Planning and Development) Act, 1993 (No. 12 of 1992) (other than section 4),

are repealed.

6. On 11 March, 2002, the Local Government (Planning and Development) Regulations, 1994 to 2001 are revoked.

Given under the Official Seal of the Minister for
Environment and Local Government this 19th
day of December, 2001.

L.S. Noel Dempsey, T.D.

Minister for the Environment
and Local Government.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This Order brings almost all remaining provisions of the Planning and Development Act, 2000 into force.

On 21 January, 2002, Part IV (Architectural Heritage), Chapter II of Part VI (Organisation, staffing of An Bord Pleanála), Part VII (Disclosure of Interests) and Part XIII (Amenities), along with certain related provisions, come into force. In addition, certain other sections of the Act are brought into force on that date. Those are the provisions in Part I of the Act concerning development, exempted development and the powers of planning authority of examination and survey and to require information. Section 180 concerning the taking in charge of estates is also commenced. The provisions in the Local Government (Planning and Development) Acts, 1963 to 1999 which these provisions replace are repealed.

On 11 March, 2002, all other Parts of the Planning and Development Act, 2000 are commenced. The Order also repeals those provisions of the Local Government (Planning and Development) Acts, 1963 to 1999 which have not previously been repealed. In addition, the Local Government (Planning and Development) Regulations, 1994 to 2001 are revoked.