

Draft Regulations laid before the Scottish Parliament under section 275(7B) of the Town and Country Planning (Scotland) Act 1997, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2009 No.

TOWN AND COUNTRY PLANNING

**The Town and Country Planning (Amount of Fixed Penalty)
(Scotland) Regulations 2009**

Made - - - - 2009

Coming into force 3rd August 2009

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 136A(4) and 145A(4) of the Town and Country Planning (Scotland) Act 1997^(a) and of all other powers enabling them to do so.

In accordance with section 275(7B) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Town and Country Planning (Amount of Fixed Penalty) (Scotland) Regulations 2009 and come into force on 3rd August 2009.

(2) In these Regulations “the Act” means the Town and Country Planning (Scotland) Act 1997.

Amount of fixed penalty

2. The amount prescribed for the purposes of—

- (a) section 136A(4) of the Act is £2,000; and
- (b) section 145A(4) of the Act is £300.

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh

2009

^(a) 1997 c.8. Sections 136A and 145A were inserted by section 25 of the Planning etc. (Scotland) Act 2006 (asp 17) and section 275 was further amended by section 54(16)(f) of that Act. The functions of the Secretary of State under the Town and Country Planning (Scotland) Act 1997 (“the 1997 Act”) transferred to the Scottish Ministers under section 53 of the Scotland Act 1998 (c.46). See section 277(1) of the 1997 Act for the definition of “prescribed”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the amount of the penalty payable under a fixed penalty notice served under section 136A(1) or 145A(1) of the Town and Country Planning (Scotland) Act 1997.

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