



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 3

PLANNING

CHAPTER 6

OTHER PROVISION

130 Regulations and orders under the Planning Acts

- (1) In section 333 of TCPA 1990 (regulations and orders)—
 - (a) after subsection (2A) insert—

“(2B) Regulations made under this Act may make consequential, supplementary, incidental, transitional, transitory or saving provision.”;
 - (b) after subsection (7) insert—

“(8) Orders made under this Act by statutory instrument may make consequential, supplementary, incidental, transitional, transitory or saving provision.”
- (2) In section 238 of TCPA 1990 (consecrated land), in subsection (5)(c), for the words from “contain” to the end substitute “in particular by virtue of section 333(2B) include provision as to the closing of registers”.
- (3) In TCPA 1990, omit the following—
 - (a) section 61Z2(3);
 - (b) section 106ZB(2)(a);
 - (c) in section 116(2), the words “and incidental or supplementary provision”;
 - (d) section 202G(4);
 - (e) section 303(6)(a);

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 130. (See end of Document for details)

- (f) section 303ZA(4)(a);
 - (g) section 319A(10)(a);
 - (h) section 319B(10)(a);
 - (i) in Schedule 4D, paragraph 1(3).
- (4) In section 93 of the Listed Buildings Act (regulations and orders), for subsection (6) substitute—
- “(6) Regulations made under this Act and orders made under this Act by statutory instrument may make consequential, supplementary, incidental, transitional, transitory or saving provision.”
- (5) In the Listed Buildings Act, omit the following—
- (a) section 88D(9)(a);
 - (b) section 88E(9)(a).
- (6) In section 40 of the Hazardous Substances Act (regulations)—
- (a) in the heading, after “Regulations” insert “and orders”;
 - (b) after subsection (4) insert—
- “(5) Regulations made under this Act and orders made under this Act by statutory instrument may make consequential, supplementary, incidental, transitional, transitory or saving provision.”
- (7) In section 5 of the Hazardous Substances Act (power to prescribe hazardous substances), in subsection (3), for “to make such transitional provision” substitute “under section 40(5) for regulations under this section to make transitional provision”.
- (8) In the Hazardous Substances Act, omit the following—
- (a) section 21A(9)(a);
 - (b) section 21B(9)(a).

Commencement Information

II S. 130 in force at 26.12.2023, see s. 255(3)(a)

Changes to legislation:

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 130.