
STATUTORY INSTRUMENTS

2015 No. 1778

**The Criminal Justice and Courts Act 2015 (Commencement
No. 3 and Transitional Provisions) Order 2015**

Transitional Provisions

4. The following transitional provisions have effect in relation to Schedule 16 to the Act—
- (a) the amendments made by paragraphs 2 and 4 to 7 do not apply in relation to proceedings challenging—
 - (i) an order confirmed or taking effect⁽¹⁾ before 26th October 2015;
 - (ii) a relevant costs order⁽²⁾ made before 26th October 2015; or
 - (iii) an action or decision taken before 26th October 2015.
 - (b) the amendments made by paragraph 3 do not apply to proceedings challenging a relevant document where the relevant date (within the meaning of section 287(5) of the Town and Country Planning Act 1990)⁽³⁾ is a date earlier than 26th October 2015; and
 - (c) the amendments made by paragraph 8 do not apply in relation to proceedings challenging a relevant document where the relevant date (within the meaning of section 113(11) of the Planning and Compulsory Purchase Act 2004)⁽⁴⁾ is a date earlier than 26th October 2015.

(1) Orders under section 97 of the Town and Country Planning Act 1990 (c.8) and under section 23 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9) take effect without confirmation by virtue of, respectively, sections 99 and 25 of those Acts. The amendments made by Schedule 16 make it clear that in those situations the date used for the calculation of time limits is the date on which the order takes effect; in all other cases, the date on which the order is confirmed is used.

(2) The amendments made by Schedule 16 insert the defined term “relevant costs order” into sections 284 and 288 of the Town and Country Planning Act 1990 and into section 62 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The meaning is materially identical in both cases: a relevant costs order is an order made under section 250(5) of the Local Government Act 1972 (orders as to the costs of parties), as applied by virtue of any provision of the Act in question.

(3) 1990 c.8.

(4) 2004 c.5.