STATUTORY INSTRUMENTS

2018 No. 251 (C. 24)

ACQUISITION OF LAND, ENGLAND AND WALES
HOUSING, ENGLAND

The Housing and Planning Act 2016 (Commencement No. 7 and Transitional Provisions) Regulations 2018

Made - - - - 26th February 2018

The Secretary of State, in exercise of the powers conferred by section 212 and section 216(3) and (4) of the Housing and Planning Act 2016(**1**), makes the following Regulations:

Citation

1. These Regulations may be cited as the Housing and Planning Act 2016 (Commencement No. 7 and Transitional Provisions) Regulations 2018.

Interpretation

2. In these Regulations—

"the Act" means the Housing and Planning Act 2016;

"confirming authority" has the same meaning as in section 7(1) of the Acquisition of Land Act 1981(**2**);

"special enactment" means—

(a) a local or private Act which authorises the compulsory purchase of land specifically identified in that Act; or

(b) a provision which—

(i) is contained in an Act other than a local or private Act, and

(ii) authorises the compulsory purchase of land specifically identified in that Act.

(**1**) 2016 c. 22.
(**2**) 1981 c. 67.

Provisions coming into force on 19th March 2018

3. The following provisions of the Act come into force on 19th March 2018—

(a) section 133 (Power to require property agents to join client money protection schemes);

(b) section 134 (Client money protection schemes: approval or designation);

(c) section 135 (Enforcement of client money protection scheme regulations).

Provisions coming into force on 6th April 2018

4. The following provisions of the Act come into force on 6th April 2018—

(a) section 180 (Timetable for confirmation of compulsory purchase order);

(b) section 181 (Confirmation by inspector) except in relation to a compulsory purchase order for which the confirming authority is the Welsh Ministers;

(c) section 192 (Making a claim for compensation);

(d) section 193 (Compensation after withdrawal of notice to treat);

(e) section 194 (Making a request for advance payment of compensation);

(f) section 195 (Power to make and timing of advance payment);

(g) section 196(1) to 196(2)(a) (Interest on advance payments of compensation)

(h) section 197 (Repayment of advance payment where no compulsory purchase);

(i) section 198 (Repayment of payment to mortgagee if land not acquired).

Transitional provisions: Confirmation and time limits for compulsory acquisition

5. The amendments made by section 180 and section 181 of the Act only apply to a compulsory purchase order which is submitted to a confirming authority for confirmation on or after 6th April 2018.

Transitional provisions: Compensation for compulsory acquisition

6.—(1) The amendments made by sections 193, 194(1) to (3), section 195, section 196(1) to (2)(a), section 197, and section 198 of the Act only apply in relation to a compulsory purchase of land which is authorised on or after 6th April 2018.

(2) For the purposes of this regulation, a compulsory purchase of land is authorised—

(a) by a compulsory purchase order, on the day on which the order is—

(i) confirmed by a Minister, the Welsh Ministers or another authority; or

(ii) made by a Minister or the Welsh Ministers;

(b) by an order under section 1 or 3 of the Transport and Works Act 1992(**3**), on the day on which the Secretary of State or the Welsh Ministers determine under section 13(1) of that Act to make the order;

(c) by a harbour revision order, a harbour empowerment order or a harbour closure order under the Harbours Act 1964(**4**), on the day on which the order is made by a Minister, the Welsh Ministers or a person who is designated in an order made under section 42A(**5**) of that Act;

(**3**) 1992 c. 42.
(**4**) 1964 c. 40.
(**5**) Section 42A was inserted by section 315 of, and paragraphs 1 and 3(1) of Schedule 21 to, the Marine and Coastal Access Act 2009 (c. 23).

(d) by any other order, on the day on which the order is made by a Minister or the Welsh Ministers; or

(e) by a special enactment, on the day on which the special enactment is enacted.

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Dominic Raab
Minister of State
Ministry of Housing, Communities and Local Government

26th February 2018