

A BILL

entitled

DEVELOPMENT AND PLANNING AMENDMENT ACT 2011

WHEREAS it is expedient to amend section 15 of the Development and Planning Act 1974, and to validate certain development orders made under that section;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act may be cited as the Development and Planning Amendment Act 2011.

Amends section 15 of the Development and Planning Act 1974

2 In section 15 of the Development and Planning Act 1974 (development orders) at the end insert—

“(7) Orders made under this section are subject to the affirmative resolution procedure.”

Validation of certain development orders

3 Any development order made under section 15 of the Development and Planning Act 1974 before the coming into operation of this Act, which was not made subject to the affirmative resolution procedure, shall be deemed to have been validly made.

DEVELOPMENT AND PLANNING AMENDMENT BILL 2011

EXPLANATORY MEMORANDUM

This Bill seeks to clarify a doubt that has arisen as to the Parliamentary procedure applicable to development orders made under section 15 of the Development and Planning Act 1974.

Clause 1 is self-explanatory.

Clause 2 amends section 15 of the Development and Planning Act 1974 by inserting a new subsection (7) which states expressly that the affirmative resolution procedure (as set out in section 7 of the Statutory Instruments Act 1977) applies to development orders.

Clause 3 validates development orders made before the coming into operation of this Act which were not made subject to Parliamentary scrutiny by way of the affirmative resolution procedure.