

L.N. 266 of 2001

DEVELOPMENT PLANNING ACT
(CAP. 356)

**Development Planning (Procedure for Reconsideration)
Regulations, 2001**

IN virtue of the powers conferred by subarticle (4) of article 37 and of article 60 of the Development Planning Act, the Minister for Home Affairs has made the following regulations:

1. (1) The title of these regulations is the Development Planning (Procedure for Reconsideration) Regulations, 2001. Title and commencement.

(2) These regulations shall come into force on the 1st November, 2001 and shall apply to requests for reconsideration submitted to the Planning Authority (hereinafter referred to as “the Authority”) and to the Development Control Commission (hereinafter referred to as “the Commission”) after 1st November, 2001.

2. (1) Where the Authority or the Commission, as the case may be, are requested by the applicant or by any other person on his behalf to reconsider its decision, the Director shall prepare a reply to such a request for reconsideration within thirty days from receipt of the same: Procedure to be followed during a reconsideration.

provided that where in such request for reconsideration fresh plans are submitted by the applicant or by any other person on his behalf, the time period required by the Director for preparing a reply as aforesaid shall not include within such time any period of time required for consultation with government departments or agencies as provided for in terms of subarticle (3) of article 36 of the Development Planning Act. Act I of 1992.

(2) The Authority or the Commission, as the case may be, shall inform any person who has made written submissions in terms of subarticle (5) of article 32, that a request for reconsideration has been made by the applicant.

(3) In his request as aforesaid the applicant or any other person on his behalf may refer to other policies in a development plan or in a planning policy not referred to in previous representations by the applicant or by such other person.

(4) A copy of the Director’s reply shall be transmitted to the applicant and to such other person acting on his behalf.

(5) The applicant or any other person on his behalf may answer the Director's reply within thirty days from receipt of the Director's reply.

(6) Where the applicant or such other person on his behalf fails to reply, the Director shall forward the application file to the Authority or to the Commission, as the case may be, for determination.

(7) Where the applicant or such other person on his behalf replies, the Director shall also forward a copy of the said reply to the Authority or to the Commission, as the case may be.

(8) A request for reconsideration shall be put on the agenda of the Authority or of the Commission, as the case may be, for determination, within twelve weeks from the date of receipt of the applicant's request for reconsideration.