



# Transport and Works (Scotland) Act 2007

## 2007 asp 8

### PART 1

#### ORDERS AUTHORISING WORKS ETC.

##### *Procedure for making orders*

#### 13 “Developments of national significance” etc.: special procedure

- (1) [<sup>F1</sup>Subsections (2A) to (6) apply in relation to] an order under section 1 if—
- (a) the order authorises the carrying out of work which would constitute a national development,
  - (b) the order includes provision adding to, replacing or omitting any part of the text of a private Act of the Parliament, or
  - (c) the Scottish Ministers so direct.

- (2) In subsections (1) and (7), references to a “national development” are to any development (within the meaning of the Town and Country Planning (Scotland) Act 1997 (c. 8)) for the time being designated under section 3A(4)(b) of that Act (which relates to the content of the National Planning Framework) as a national development.

[<sup>F2</sup>(2A) The order is subject to the affirmative procedure.]

- (3) The [<sup>F3</sup>draft statutory instrument containing the order]—
- (a) is to be laid before the Parliament together with a copy of any plan or book of reference prepared in connection with the application (or as the case may be in connection with the proposal to make the order), <sup>F4</sup>...

<sup>F4</sup>(b) .....

- (4) Where a plan or book of reference is revised before the [<sup>F5</sup>draft statutory instrument is laid before the Parliament], the reference in subsection (3)(a) is to the later (or as the case may be the latest) version.

- (5) As soon as practicable after the [<sup>F6</sup>order has been made or, as the case may be, the Parliament has decided not to approve the draft statutory instrument], the Scottish Ministers are to publish a notice in—

- (a) the Edinburgh Gazette, and

*Changes to legislation: There are currently no known outstanding effects for the Transport and Works (Scotland) Act 2007, Section 13. (See end of Document for details)*

- (b) a local newspaper circulating in the area (or each of the areas) in which the provisions of the order in question will have, or would have had, effect.
- (6) A notice under subsection (5)—
  - (a) must state that the [<sup>F7</sup>order has been made or, as the case may be, the Parliament has decided not to approve the draft statutory instrument]
  - (b) where [<sup>F8</sup>the order has been made], must give information regarding—
    - (i) when the order will come into force, and
    - (ii) the right to challenge the validity of the order and the procedures for doing so.
- [<sup>F9</sup>(7) Subsections (2A) to (6) apply in relation to an order (“the new order”) which revokes, amends or re-enacts another order (“the old order”) in relation to which those subsections applied only if—
  - (a) the new order authorises the carrying out of work which would constitute a national development (other than a national development to which the old order relates),
  - (b) the new order includes provision such as is mentioned in subsection (1)(b), or
  - (c) the Scottish Ministers so direct.]

#### Textual Amendments

- F1** Words in s. 13(1) substituted (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\), arts. 1, 21\(a\)](#)
- F2** S. 13(2A) inserted (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\), arts. 1, 21\(b\)](#)
- F3** Words in s. 13(3) substituted (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\), arts. 1, 21\(c\)\(i\)](#)
- F4** S. 13(3)(b) and word omitted (11.11.2011) by virtue of [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\), arts. 1, 21\(c\)\(ii\)](#)
- F5** Words in s. 13(4) substituted (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\), arts. 1, 21\(d\)](#)
- F6** Words in s. 13(5) substituted (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\), arts. 1, 21\(e\)](#)
- F7** Words in s. 13(6)(a) substituted (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\), arts. 1, 21\(f\)\(i\)](#)
- F8** Words in s. 13(6)(b) substituted (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\), arts. 1, 21\(f\)\(ii\)](#)
- F9** S. 13(7) substituted (11.11.2011) by [The Interpretation and Legislative Reform \(Scotland\) Act 2010 \(Consequential, Savings and Transitional Provisions\) Order 2011 \(S.S.I. 2011/396\), arts. 1, 21\(g\)](#)

#### Modifications etc. (not altering text)

- C1** Ss. 12-14 applied (23.2.2017) by [High Speed Rail \(London - West Midlands\) Act 2017 \(c. 7\), ss. 52\(2\)\(3\), 70\(1\)](#)

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**Changes to legislation:** There are currently no known outstanding effects for the  
Transport and Works (Scotland) Act 2007, Section 13. (See end of Document for details)

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#### Commencement Information

**II** S. 13 in force at 28.12.2007 by [S.S.I. 2007/516](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Transport and Works (Scotland) Act 2007, Section 13.