

TRANSPORT AND WORKS (SCOTLAND) ACT 2007

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 3: General

Section 28: Further provision as regards rules, regulations and orders

93. Subsection (6) provides the Scottish Ministers with powers for sub-delegation of functions and powers to make incidental, supplemental, consequential, transitional, transitory or saving provisions. That, with the powers in subsection (7), allows the Scottish Ministers to make provision for ancillary matters and to enable unforeseen circumstances to be addressed which may arise following the enactment of the Bill without having to have recourse to primary legislation. The scope of the power is restricted. It can only be used to make provisions which are of an incidental, supplemental, consequential, transitional, transitory or saving nature.

Section 29: Modification and repeal of enactments

94. Subsection (1) indicates that schedule 2 to the Act contains a list of enactments that are modified by the Act.
95. Subsection (2) indicates that schedule 3 to the Act contains a list of enactments that are repealed by the Act.

Section 30: Short title and commencement

96. Subsection (1) provides the short title, which is the name by which the Act may be cited.
97. Subsection (2) deals with commencement of sections 28 and 30. Subsection (3) provides for provisions in section 25 implementing the Public Participation Directive and for section 27 to come into force two months after the date of Royal Assent. It is for the Scottish Ministers, as explained in subsection (4), to make provision commencing the remaining provisions of the Act.