
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 396

**The Interpretation and Legislative Reform
(Scotland) Act 2010 (Consequential, Savings
and Transitional Provisions) Order 2011**

Amendment of the Transport and Works (Scotland) Act 2007

- 21.** In section 13 (“developments of national significance” etc.: special procedure)—
- (a) in subsection (1), from the beginning to “containing” substitute “Subsections (2A) to (6) apply in relation to”;
 - (b) after subsection (2) insert—
 - “(2A) The order is subject to the affirmative procedure.”;
 - (c) in subsection (3)—
 - (i) in the opening words, for “statutory instrument” substitute “draft statutory instrument containing the order”; and
 - (ii) omit paragraph (b) and the “, and” immediately preceding it;
 - (d) in subsection (4), for “order is made” substitute “draft statutory instrument is laid before the Parliament”;
 - (e) in subsection (5), for “Parliament has decided whether or not to approve the instrument” substitute “order has been made or, as the case may be, the Parliament has decided not to approve the draft statutory instrument”;
 - (f) in subsection (6)—
 - (i) in paragraph (a), from “Parliament” to the end substitute “order has been made or, as the case may be, the Parliament has decided not to approve the draft statutory instrument”; and
 - (ii) in paragraph (b), for “a resolution has been passed” substitute “the order has been made”;
 - (g) for subsection (7) substitute—
 - “(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.”.