
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2008 No.

The Transport and Works (Scotland) Act 2007
(Access to Land by the Scottish Ministers) Order 2008

Pre conditions

4. The Scottish Ministers shall not serve or publish notice under article 5 unless they—
 - (a) are considering publishing a notice of a proposal to make an order by virtue of section 6 of the Act; and
 - (b) have attempted to obtain entry to the relevant land with the agreement of the owner and (where their agreement is also required) of every tenant and occupier of that relevant land.