



# Transport and Works (Scotland) Act 2007

## 2007 asp 8

### PART 1

#### ORDERS AUTHORISING WORKS ETC.

##### *Miscellaneous*

#### [<sup>F1</sup>20B. Offences

- (1) Any person who, for the purpose of procuring a particular decision in relation to the making or otherwise of an order under section 1 to which section 11(8) applies—
  - (a) knowingly or recklessly makes a statement which is false or misleading in a material particular,
  - (b) with intent to deceive, uses any document which is false or misleading in a material particular or
  - (c) with intent to deceive, withholds any material information,commits an offence.
- (2) A person who commits an offence under subsection (1) shall be liable—
  - (a) on summary conviction, to a fine not exceeding the statutory maximum; or
  - (b) on conviction on indictment, to a fine.
- (3) No act or omission of the Crown constitutes an offence under this section.
- (4) The Court of Session may, on the application of the Scottish Ministers, the chief constable or any other public body or office-holder having responsibility for enforcing the provision, declare unlawful any act or omission of the Crown which would but for subsection (3) have constituted an offence under this section.
- (5) Despite subsection (3), this section applies to a person in the public service of the Crown as it applies to other persons.]

#### Textual Amendments

- F1** Ss. 20A-20C inserted (16.5.2017) by [The Transport and Works \(Scotland\) Act 2007 \(Environmental Impact Assessment\) Regulations 2017 \(S.S.I. 2017/138\)](#), regs. 1, 6

**Changes to legislation:**

There are currently no known outstanding effects for the Transport and Works (Scotland) Act 2007, Section 20B.