*These notes relate to the Transport and Works (Scotland) Act 2007 (asp 8) which received Royal Assent on 14 March 2007*

# TRANSPORT AND WORKS (SCOTLAND) ACT 2007

## EXPLANATORY NOTES

### THE ACT – SECTION BY SECTION

### Part 1 – Orders Authorising Works Etc.

### Procedure for making orders

#### *Section 13: "Developments of national significance" etc.: special procedure*

50. This section obliges the Scottish Ministers to seek an affirmative resolution for any order containing provisions which authorise a national development as designated within the National Planning Framework or if the order contains provisions which seek to amend a Private Act of the Scottish Parliament. The section also permits the Scottish Ministers to seek, if they so wish, an affirmative resolution for any order made under section 1.

51. Subsections (5) and (6) place a duty on the Scottish Ministers to publish certain information in the Edinburgh Gazette and a local newspaper once the Scottish Parliament has decided whether to approve an order.

52. Subsection (7) states that an order which seeks to amend, revoke or re-enact an instrument laid before the Scottish Parliament will be subject to affirmative procedure only if the order authorises works which constitute a different national development or amends a Private Act of the Scottish Parliament or the Scottish Ministers so direct.