



Transport and Works Act 1992

1992 CHAPTER 42

PART I

ORDERS AUTHORISING WORKS ETC

Procedure for making orders

9 Schemes of national significance.

- (1) This section applies where an application made under section 6 above relates (wholly or in part) to proposals which in the opinion of the Secretary of State are of national significance.
- (2) Before the end of the period of 56 days beginning with the day on which he receives the application, the Secretary of State shall publish in the London Gazette a notice identifying the application and the proposals which in his opinion are of national significance.
- (3) On, or as soon as practicable after, the day on which the notice required by subsection (2) above is published, the Secretary of State shall—
 - [^{F1}(a) publish a like notice in a local newspaper circulating in the area (or each of the areas) in which the proposals contained in the application are intended to have effect, and]
 - (b) send a copy of the notice to the applicant and to every person within section 11(4) below who objected to the application in accordance with rules made under section 10 below.
- (4) The Secretary of State shall not make an order on the application unless each House of Parliament, on a motion moved by a Minister of the Crown which identifies the proposals referred to above, passes a resolution approving them at some time later than 56 days after the day of publication of the notice required by subsection (2) above.
- (5) An order made on the application shall not include any provision that is inconsistent with a proposal approved by a resolution in accordance with this section unless that provision gives effect to modifications of the proposal which have themselves been

Changes to legislation: There are currently no known outstanding effects for the Transport and Works Act 1992, Section 9. (See end of Document for details)

approved by a resolution of each House of Parliament passed on a motion moved by a Minister of the Crown.

(6) This section shall apply in relation to an order which the Secretary of State makes or proposes to make by virtue of section 7 above as it applies in relation to an order for which an application is made to him, except that in such a case—

- (a) subsections (2) and (3) above shall not apply, and
- (b) subsection (4) above shall apply as if the reference to the notice required by subsection (2) above were a reference to the notice required by section 7(3) above to be published in the London Gazette;

and any proposals which in the opinion of the Secretary of State are of national significance shall be identified as such in any notice required by or under section 7(3) above.

Textual Amendments

- F1** S. 9(3)(a) substituted (20.4.2006) by [The Transport and Works \(Assessment of Environmental Effects\) Regulations 2006 \(S.I. 2006/958\)](#), regs. 1(1), **2(3)**

Modifications etc. (not altering text)

- C1** S. 9 modified (18.12.1996) by [1996 c. 61, s. 42](#)
- C2** S. 9 functions made exercisable concurrently or jointly with the Welsh Ministers by [2006 c. 32, Sch. 3A para. 1](#) (as inserted (1.4.2018) by [Wales Act 2017 \(c. 4\)](#), s. 71(4), **Sch. 4 para. 1** (with [Sch. 7 paras. 1, 6](#)); [S.I. 2017/1179](#), reg. 3(p))

Commencement Information

- I1** Pt. I (ss. 1-25) wholly in force at 1. 1. 1993 see s. 70 and [S.I. 1992/2784](#), art. 2, **Sch. 1**.

Changes to legislation:

There are currently no known outstanding effects for the Transport and Works Act 1992, Section 9.