

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 28(1) of the Waverley Railway (Scotland) Act 2006 (“the 2006 Act”) on the application of Scottish Borders Council as authorised undertaker for the purposes of sections 13 and 15 of that Act.

Section 27(1) of the 2006 Act provides that the powers of the authorised undertaker for the compulsory acquisition of land under section 13 of that Act and for the compulsory acquisition of servitudes or specific new rights under section 15 of the 2006 Act shall cease five years from the date on which the 2006 Act came into force. The 2006 Act came into force on 24th July 2006. This Order provides that the period for the exercise of the powers of the authorised undertaker under sections 13 and 15 of the 2006 Act is extended until 23rd July 2016.