
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2007 No.

**The Transport and Works (Scotland) Act 2007
(Inquiries and Hearings Procedure) Rules 2007**

PART 3

HEARINGS

Representation of Scottish Administration at hearing

27.—(1) Any part of the Scottish Administration which has provided an official case shall arrange for its representative to attend the hearing if that part of the Scottish Administration has received, not later than 4 weeks before the date fixed for the commencement of a hearing, a written request for such attendance from the Scottish Ministers, the applicant or a statutory objector.

(2) A person attending a hearing as a representative in pursuance of this rule shall give evidence and be subject to cross examination to the same extent as any other witness.

(3) Nothing in paragraph (2) shall require a representative of any part of the Scottish Administration to answer any question which in the opinion of the reporter is directed to—

- (a) the merits of government policy; or
- (b) in the case of any hearing dealing with an objection or representations in relation to an application to which section 13(3) of the Act may apply by virtue of section 13(1)(a) of the Act, the merits of the carrying out of work which would be authorised by the order constituting a national development.