

## 2001 No. 132 (C. 7)

### TRANSPORT

#### The Transport (Scotland) Act 2001 (Commencement No. 1, Transitional Provisions and Savings) Order 2001

*Made*

*30th March 2001*

The Scottish Ministers, in exercise of the powers conferred by sections 81(2)(b), 84(2) and (3) of the Transport (Scotland) Act 2001(a) hereby make the following Order:

#### **Citation and interpretation**

1.—(1) This Order may be cited as the Transport (Scotland) Act 2001 (Commencement No. 1, Transitional Provisions and Savings) Order 2001.

(2) In this Order—

“the Act” means the Transport (Scotland) Act 2001; and

“the 1985 Act” means the Transport Act 1985(b).

#### **Commencement of Provisions**

2.—(1) This article has effect subject to the provisions of articles 3 and 4 below.

(2) The provisions of the Act which are specified in column 1 of Part I of the Schedule to this Order shall come into force on 1st April 2001 but, where a particular purpose in relation to any such provision is specified in column 2 of that Part of that Schedule, that provision shall come into force on that day only for that purpose.

(3) The provisions of the Act specified in Part II of the Schedule to this Order shall come into force on 1st July 2001 but, where a particular purpose in relation to any such provision is specified in column 2 of that Part of that Schedule, that provision shall come into force on that day only for that purpose.

(4) The provisions of the Act specified in Part III of the Schedule to this Order shall come into force on 1st April 2002.

#### **Transitional Provisions and Savings**

3. Section 36 of the Act shall not apply in relation to invitations to tender under section 89 of the 1985 Act issued before 1st April 2001.

4. Section 40(1), (3) and (4) of the Act shall not apply in relation to a determination made to the effect that an operator has—

(a) failed as mentioned in section 111(1)(a) of the 1985 Act; or

(b) operated as mentioned in paragraph (b) of that subsection,

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(a) 2001 asp 2.

(b) 1985 c.67.

where the relevant failure or, as the case may be, operation, occurred before 1st April 2001.

St Andrew's House,  
Edinburgh  
30th March 2001

*SARAH BOYACK*  
A member of the Scottish Executive

## SCHEDULE

## PART I

## PROVISIONS OF THE ACT COMING INTO FORCE ON 1ST APRIL 2001

<i>Column 1</i>	<i>Column 2</i>
<i>Provisions of the Act</i>	<i>Purpose</i>
Section 1	
Section 2	
Section 4	
Section 11	
Section 26	
Section 36	
Section 38(2)	
Section 40(1), (3) and (4)	
Sections 41 to 44	
Section 46	
Sections 48 to 67 (and accordingly Schedule 1)	
Sections 69 to 72	
Section 73(c) and (d)	
Section 74(4)	
Section 75 to 78	
Section 79	
Section 81 to 82	
Section 83	Only for the purpose of bringing into force the provisions of Schedule 2 to the Act specified in column 1 below.
Paragraphs 4(1), (2), (3) and (5) of Schedule 2	

## SCHEDULE

## PART II

## PROVISIONS OF THE ACT COMING INTO FORCE ON 1ST JULY 2001

<i>Column 1</i>	<i>Column 2</i>
<i>Provisions of the Act</i>	<i>Purpose</i>
Section 3	
Sections 5 to 10	
Sections 12 to 25	
Sections 27 to 35	
Section 37	
Section 40(2)	
Section 45	
Section 47	
Section 83	Only for the purpose of bringing into force the provisions of Schedule 2 to the Act specified in column 1 below.
Paragraphs 1, 2, 3 and 4(4) of Schedule 2	

## PART III

## PROVISIONS OF THE ACT COMING INTO FORCE ON 1ST APRIL 2002

Section 74(1), (2), (3) and (5)

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order brings into force various provisions of the Transport (Scotland) Act 2001.

Article 2(2) and Part I of the Schedule to the Order bring into force on 1st April 2001 the provisions listed in that Part subject to any restriction of purpose specified.

Article 2(3) and Part II of the Schedule to the Order bring into force on 1st July 2001 the provisions listed in that Part subject to any restriction of purpose specified.

Article 2(4) and Part III of the Schedule to the Order bring into force on 1st April 2002 the provisions listed in that Part.

Articles 3 and 4 make transitional and savings provisions.





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Transitional Provisions and Savings) Order 2001**

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