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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 454 (C.22 )**

**TRANSPORT**

**The Transport (Scotland) Act 2005  
(Commencement No. 1) Order 2005**

*Made - - - - 13th September 2005*

The Scottish Ministers, in exercise of the powers conferred by sections 52(4) and 54(2) of the Transport (Scotland) Act 2005<sup>(1)</sup> and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Transport (Scotland) Act 2005 (Commencement No. 1) Order 2005.

(2) In this Order “the Act” means the Transport (Scotland) Act 2005.

**Appointed days**

2. The provisions of the Act specified in column 1 of any of the Schedules to this Order (the subject matter of which is described in column 2 of that Schedule) shall come into force on the day appointed in relation to that Schedule in the Table below.

**TABLE**

<i>Schedule</i>	<i>Appointed day</i>
1	14th September 2005
2	10th October 2005
3	3rd April 2006

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(1) 2005 asp 12.

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St Andrew's House, Edinburgh  
13th September 2005

*TAVISH SCOTT*  
A member of the Scottish Executive

## SCHEDULE 1

Article 2

## PROVISIONS OF THE ACT WHICH COME INTO FORCE ON 14TH SEPTEMBER 2005

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject Matter</i>
Section 1	Establishment of regional Transport Partnerships
Section 13	Transfer to Scottish Ministers of certain rail functions

## SCHEDULE 2

Article 2

## PROVISIONS OF THE ACT WHICH COME INTO FORCE ON 10TH OCTOBER 2005

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject Matter</i>
Sections 2 to 12, 14 and 15 (Part 1)	Regional Transport Partnerships
Section 16	Creation, appointment, status and funding of Scottish Road Works Commissioner
Section 17	Functions of Commissioner
Section 40	National travel concession schemes
Section 44	Abolition of requirement on local traffic authority to inform the Scottish Ministers about certain pedestrian crossings
Section 45	Modification of Highlands and Islands Shipping Services Act 1960 and loans for transport related purposes
Section 46	Amendment of procedure for dealing with applications for harbour orders
Section 47	Amendment of procedure where harbour revision orders are made by the Scottish Ministers of their own motion
Section 48	Transitional provision for sections 46 and 47
Section 50	Extension of remit of Bus User Complaints Tribunal
Section 51	Minor amendments of Transport (Scotland) Act 2001
Section 53	Interpretation
Schedule 1, paragraphs 1 to 10 and 12 to 19	Further provision about regional Transport Partnerships

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<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject Matter</i>
Schedule 2	Scottish Road Works Commissioner: further provision

### SCHEDULE 3

Article 2

#### PROVISIONS OF THE ACT WHICH COME INTO FORCE ON 3RD APRIL 2006

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject Matter</i>
Section 41	Public Transport Users' Committee for Scotland
Section 42	Functions of the Committee
Section 43	Guidance and direction to the Committee
Schedule 1, paragraph 11	Participation in community planning
Schedule 1, paragraph 20	Freedom of information

### EXPLANATORY NOTE

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

This Order appoints various days for the coming into force of the provisions of the Transport (Scotland) Act 2005 (“the Act”).

Article 2 appoints the following days for the coming into force of various provisions of the Act, namely:

- (a) 14th September 2005 for the provisions specified in Schedule 1 to this Order which are sections 1 (Establishment of regional Transport Partnerships) and 13 (Transfer to Scottish Ministers of certain rail functions);
- (b) 10th October 2005 for the provisions specified in Schedule 2 to this Order which relate to Part 1 (Regional Transport Partnerships) of the Act, the Scottish Road Works Commissioner and the majority of Part 3 (Miscellaneous); and
- (c) 3rd April 2006 for the provisions specified in Schedule 3 to this Order which relate to the Public Transport Users' Committee for Scotland and the participation of Transport Partnerships in community planning and freedom of information.

The Act received Royal Assent on 5th August 2005. Sections 52 and 54 came into force on Royal Assent.

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The provisions of the Act remaining to be commenced after the making of this Order are sections 18 to 39 and Schedules 3 to 7 all of which relate to road works and section 49 which relates to badges for vehicles used for disabled people.