

**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>(a)</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       |

St Andrew’s House,  
Edinburgh  
13th September 2005

*TAVISH SCOTT*  
A member of the Scottish Executive

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<sup>(a)</sup> 2005 asp 12.

## SCHEDULE 1

Article 2

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

| <i>Column 1</i><br><i>Provisions of the Act</i> | <i>Column 2</i><br><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><br><i>Provisions of the Act</i> | <i>Column 2</i><br><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   |
| 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><br><i>Provisions of the Act</i> | <i>Column 2</i><br><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.

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.





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