
STATUTORY INSTRUMENTS

1991 No. 2286 (C.69) (S.189)

ROADS AND BRIDGES, SCOTLAND

The New Roads and Street Works Act 1991
(Commencement No.1) (Scotland) Order 1991

Made - - - - 14th October 1991

The Secretary of State, in exercise of the powers conferred on him by section 170(1) of the New Roads and Street Works Act 1991(1), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the New Roads and Street Works Act 1991 (Commencement No. 1) (Scotland) Order 1991.

(2) In this Order—

“the Act” means the New Roads and Street Works Act 1991.

Commencement of certain provisions of the Act

2.—(1) The provisions of the Act specified in the first column of Schedule 1 to this Order (which relate to the matters specified in the second column thereof) shall come into force on 21st October 1991.

(2) The provisions of the Act specified in the first column of Schedule 2 to this Order (which relate to the matters specified in the second column thereof) shall come into force on 1st November 1991.

St Andrew’s House,
Edinburgh
14th October 1991

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Article 2(1)

PROVISIONS OF THE ACT WHICH COME INTO FORCE ON 21ST OCTOBER 1991

Provision of the Act	Subject Matter
Section 27	Toll orders in relation to special roads proposed to be provided by roads authorities.
Section 28	Assignment of rights under a toll order.
Section 29	The toll period.
Section 30	Extension toll orders.
Section 31	The amount of tolls chargeable.
Section 32	Toll orders in respect of major crossings of navigable waters.
Section 33	Application of enactments relating to monopolies etc..
Section 34	Variation or revocation of toll orders.
Section 35	Transfer or termination of rights assigned under toll orders.
Section 36	Further provisions as to the charging of tolls.
Section 37	The collection of tolls.
Section 38	Consequences of the refusal or failure to pay tolls.
Section 39	Facilities for the collection of tolls.
Section 40	Restriction of access to a road in respect of which a toll order is in force.
Section 41	Reports submitted to Parliament in relation to roads which are to be subject to toll orders, and in relation to toll orders.
Section 42	Environmental assessment of projects involving special roads.
Section 45	Classification of traffic for the purposes of special roads.
Section 46	Special roads not necessarily to be trunk roads.
Section 47	Interpretation and application of the Roads (Scotland) Act 1984(2).
Section 166 in so far as it relates to an offence committed under the provisions of Part II of the Act	Offences committed by bodies corporate or Scottish partnerships.

(2) 1984 c. 54.

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Provision of the Act	Subject Matter
Sections 167(1), (2), (3) and (6) in so far as these subsections relate to the provisions of Part II of the Act	Crown application.
Section 168 in so far as it relates to the provisions of Schedules 8 and 9 to the Act referred to in this Schedule	Minor and consequential amendments and repeals.
Schedule 8 in so far as it relates to the following provisions:— paragraphs 93(a), 93(c), 94(b), 96, 97 and 98 (insofar as paragraph 98 relates to Part II of the Act)	Minor and consequential amendments.
Schedule 9 to the extent that it relates to the repeals set out in the Appendix to this Schedule	Repeals.

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APPENDIX TO SCHEDULE 1

Repeals taking effect on 21st October 1991

<i>Chapter</i>	<i>Short title</i>	<i>Extent of repeal</i>
1984 c. 54	Roads (Scotland) Act 1984	In section 143(2)(b)(ii), the words “8 or”.

SCHEDULE 2

Article 2(2)

PROVISIONS OF THE ACT WHICH COME INTO FORCE ON 1ST NOVEMBER 1991

<i>Provision of the Act</i>	<i>Subject Matter</i>
Section 43	Provisions as to traffic regulation.
Section 44	Exercise of road traffic regulation powers.
Section 168 in so far as it relates to the provisions of Schedules 8 and 9 to the Act referred to in this Schedule	Minor and consequential amendments and repeals.
Schedule 8 in so far as it relates to the following provisions:—	
Part II in so far as it relates to Scotland; In Part IV, paragraphs 102 and 104(a), and in so far as they relate to Scotland, paragraphs 99(1) and (2), 117, 118(1) and (2) and 121(1) and (3)	Minor and consequential amendments
Schedule 9 to the extent that it relates to the repeals set out in the Appendix to this Schedule in so far as they relate to Scotland.	Repeals.

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APPENDIX TO SCHEDULE 2

Repeals taking effect on 1st november 1991

<i>Chapter</i>	<i>Short title</i>	<i>Extent of Repeal</i>
1984 c. 27	Road Traffic Regulation Act 1984	<p>Section 1(2), (4) and (5).</p> <p>In Section 3(1), the words from the beginning to “of this Act”.</p> <p>Section 5(2)</p> <p>Section 16(3) and (4)</p> <p>In section 17(6), the words from “and the date of opening” to the end.</p> <p>Section 19(3).</p> <p>Section 23(5).</p> <p>In section 34(1), in the opening words, the words “in England and Wales”.</p> <p>Section 55(5).</p> <p>In section 68(1)(a), the reference to section 30.</p> <p>Section 86(4).</p> <p>Section 91.</p> <p>Section 106(8).</p> <p>In section 124(2), the reference to section 30.</p> <p>Section 132(6).</p> <p>Section 132A.</p> <p>In Schedule 9—</p> <p>(a) in paragraph 20(1), the reference to be section 30;</p> <p>(b) in paragraph 21, the words “other than section 30 of this Act”;</p> <p>(c) in paragraph 27(1) the reference to section 30.</p>
1984 c. 54	Roads (Scotland) Road 1984	<p>Section 127.</p> <p>In Schedule 7, paragraphs 2, 3(a) and (b) and 4;</p>

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<i>Chapter</i>	<i>Short title</i>	<i>Extent of Repeal</i>
		In Schedule 9, paragraph 93(2) to (22), (23)(a), (24) to (38), (40), (42), (44)(a), (b), (d) and (e) and (45)(b).
1985 c. 67	Transport Act 1985	In section 137(1), the definition of “trunk road”.
1988 c. 53	Road Traffic Offenders Act 1988	In Schedule 3, in the entry relating to section 29(3) of the Road Traffic Regulation Act 1984, the words “outside Greater London”.
1990 c. 43	Environmental Protection Act 1990	In Schedule 8, in paragraph 7, the words from “and in subsection (4)” to the end.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force—

- (a) on 21st October 1991, with the exception of sections 43 and 44, the provisions of Part II (New Roads in Scotland) and various provisions of Part V (General) of, and Schedule 8 and one consequential repeal in Schedule 9 to, the New Roads and Street Works Act 1991 (“the Act”); and
- (b) on 1st November 1991, sections 43 and 44 and various provisions of Part V of, and Schedules 8 and 9 to, the Act.