



# Transport (Scotland) Act 2005

## 2005 asp 12

### PART 2

#### ROAD WORKS

##### *Miscellaneous*

#### **23 Duty of road works authority to co-ordinate road works etc.**

- (1) Section 118 of the 1991 Act (road works authority's duty to co-ordinate road works etc.) is amended in accordance with subsections (2) to (5) below.
- (2) After subsection (2) there is inserted—
  - “(2A) In discharging their duty under this section, a road works authority shall have regard to all information in the SRWR which relates to the functions of the authority.
  - (2B) A road works authority shall, so as to maximise the utility of that information for the purposes of subsection (2A)—
    - (a) assist the Commissioner in complying with the duty imposed by subsection (1) of section 112A (as read with subsection (2) of that section), and
    - (b) keep that information under surveillance.”.
- (3) In subsection (3), after “co-ordination”, there is inserted “ and the specific duties imposed by subsections (2) to (2B) ”.
- (4) After that subsection there is inserted—
  - “(3A) In discharging all the duties referred to in subsection (3), a road works authority shall have regard also to such guidance as is contained in the practice referred to in section 17(4)(b) of the Transport (Scotland) Act 2005 (asp 12).”.
- (5) In subsections (4) and (5), for “Secretary of State”, in each place where it occurs, there is substituted “ Commissioner ”.

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**Changes to legislation:** Transport (Scotland) Act 2005, Section 23 is up to date with all changes known to be in force on or before 27 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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#### **Commencement Information**

**II** S. 23 in force at 1.4.2008 by S.S.I. 2008/15, art. 2(2), **Sch. 1**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18A-18F inserted by [2019 asp 17 s. 110\(2\)](#)
- sch. 2 para. 3(2)(3) inserted by [2019 asp 17 s. 110\(4\)\(b\)](#)
- sch. 2 para. 3(1) sch. 2 para. 3 renumbered as sch. 3 para. 3(1) by [2019 asp 17 s. 110\(4\)\(a\)](#)

**Commencement Orders yet to be applied to the Transport (Scotland) Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.S.I. 2008/90 art. 2](#) amendment to earlier commencing SSI 2008/15 art. 3