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**Changes to legislation:** Roads (Scotland) Act 1984, SCHEDULE 10 is up to date with all changes known to be in force on or before 29 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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## SCHEDULES

### SCHEDULE 10

Section 156(2).

#### TRANSITIONAL PROVISIONS AND SAVINGS

- 1 (1) Subject to paragraph 4 of this Schedule, in so far as anything done or having effect as if done under or in pursuance of any of the enactments repealed by this Act (in this Schedule referred to as “the repealed enactments”) could have been done under or in pursuance of a corresponding provision of this Act, it shall not be invalidated by reason only of the repeal but shall have effect as if done under or in pursuance of that provision; and anything begun under any of the repealed enactments may be continued under the corresponding provision of this Act as if begun under that provision.
- (2) Sub-paragraph (1) above applies in particular to any regulation, byelaw, determination, decision, authorisation, application, licence, renewal, suspension, revocation, notice, purchase, disposal, charge, certificate, prohibition, registration, refusal, cancellation, variation, appeal, objection, advertisement, specification, condition or penalty prescribed, responsibility imposed or warrant granted.
- 2 Without prejudice to any express amendment made by this Act, where any enactment or document refers, either expressly or by implication, to any of the repealed enactments, the reference shall, except where the context otherwise requires, be construed as, or as including, a reference to the corresponding provision of this Act.
- 3 Where any period of time specified in any of the repealed enactments is current at the commencement of this Act, this Act shall have effect as if the corresponding provision of this Act had been in force when that period began to run.
- 4 (1) Nothing in this Act shall affect the repealed enactments in their operation in relation to offences committed before the commencement of this Act.
- (2) Where an offence, for the continuance of which a penalty was provided, has been committed under any of the repealed enactments proceedings may, in the same manner as if the offence had been committed under the corresponding provision of this Act, be taken under this Act in respect of the continuance, after the commencement of this Act, of the offence.
- 5 Without prejudice to paragraph 1 or 4 above, any reference in this Act (whether express or implied) to a thing done or required or authorised to be done, or omitted to be done, or to any event which has occurred, under or for the purposes of or by reference to or in contravention of any of the provisions of this Act shall, except where the context otherwise requires, be construed as including a reference to the corresponding thing done or required or authorised to be done, or omitted, or to the corresponding event which occurred as the case may be, under or for the purposes of or by reference to or in contravention of the corresponding provisions of the repealed enactments and of the enactments repealed by those enactments.

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#### Textual Amendments

- F1** Sch. 10 para. 6 repealed (1.1.1993) by [New Roads and Street Works Act 1991 \(c. 22, SIF 59, 108\)](#), s. 168(2), [Sch. 9](#); S.I. 1992/2990, art. 2(2), [Sch. 2](#)

- 7 In relation to an order under section 3 of the <sup>M1</sup>Special Roads Act 1949 coming into force before the appointed day within the meaning of section 2 of the <sup>M2</sup>Telecommunications Act 1984, section 20 of the said Act of 1949 shall have effect, notwithstanding any repeal made by this Act, as it had effect immediately before that appointed day.

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#### Marginal Citations

- M1** 1949 c. 32.  
**M2** 1984 c. 12.

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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. 152(3)(3ZA) substituted for s. 152(3) by [2019 asp 17 s. 124\(2\)](#)