



New Roads and Street Works Act 1991

1991 CHAPTER 22

PART II

NEW ROADS IN SCOTLAND

Supplementary provisions

47 The Roads (Scotland) Act 1984 and the interpretation of Part II.

(1) In this Part—

“extension toll order” means a toll order made under section 30(1) authorising the charging of tolls for a new toll period;

“roads authority”, “local roads authority” and “special road authority” have the same meaning as in the ^{M1}Roads (Scotland) Act 1984;

“special road” has the same meaning as in that Act;

“special road scheme” means a scheme under section 7 of that Act authorising the provision of a special road;

“toll order” means an order under section 27 authorising the charging of tolls;

“toll period” has the meaning given in section 29(1).

(2) The following provisions of the Roads (Scotland) Act 1984 apply for the purposes of this Part as if it were a part of that Act—

sections 136 to 138 (provisions as to notices), and

section 139 (inquiries).

(3) Where an assignation is granted jointly under section 28(1) by two or more local roads authorities references in this Part to the roads authority shall be construed—

(a) as references to each of those authorities in relation to times, circumstances and purposes before the special road scheme becomes operative, and

(b) in relation to times, circumstances and purposes after the special road scheme becomes operative, as references to the authority which in accordance with the scheme is the special road authority.

Changes to legislation: New Roads and Street Works Act 1991, Section 47 is up to date with all changes known to be in force on or before 26 April 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

- (4) Nothing in this Part shall be construed as restricting the powers of a roads authority with respect to a road subject to a toll order in respect of which an assignation has been granted under section 28(1)—
- (a) as to the matters which may be provided for in the assignation or as to the making of agreements of any other description for any purpose connected with the special road, or
 - (b) as to the acquisition, by agreement or compulsorily, of any land which in the opinion of the authority is required, in connection with the road, for any purpose for which the authority may acquire land under Part IX of the ^{M2}Roads (Scotland) Act 1984.

Marginal Citations

M1 1984 c. 54.

M2 1984 c. 54.

Changes to legislation:

New Roads and Street Works Act 1991, Section 47 is up to date with all changes known to be in force on or before 26 April 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.

[View outstanding changes](#)

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. 53(1)(a) words in s. 53(1) renumbered as s. 53(1)(a) by [2004 c. 18 s. 45\(2\)\(a\)](#)
- s. 53(1)(b) and word added by [2004 c. 18 s. 45\(2\)\(b\)](#)
- s. 53A inserted by [2004 c. 18 s. 48](#)
- s. 67(1A) inserted by [2004 c. 18 s. 50\(2\)](#)
- s. 67(2A)-(2C) inserted by [2004 c. 18 s. 50\(3\)](#)
- s. 67(4)(c) and word inserted by [2004 c. 18 s. 50\(5\)](#)
- s. 72(2A)(2B) inserted by [2004 c. 18 s. 58\(1\)](#)
- s. 72(3A) inserted by [2004 c. 18 s. 53\(1\)\(b\)](#)
- s. 73A excluded by [S.I. 2005/120 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2006/2905 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2007/2297 art. 3\(2\)](#)
- s. 73A excluded by [S.I. 2008/1261 art. 6\(2\)](#)
- s. 73A excluded by [S.I. 2009/1300 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2009/2364 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2013/1933 art. 3\(2\)](#)
- s. 73A excluded by [S.I. 2013/2587 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2013/2808 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2013/3244 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2014/2027 art. 4\(2\)](#)
- s. 73A excluded by [S.I. 2014/2269 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2014/2637 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2014/3102 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2014/909 art. 12\(2\)](#)
- s. 73A excluded by [S.I. 2015/129 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2015/2044 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2016/1035 art. 4\(3\)](#)
- s. 73A excluded by [S.I. 2016/547 art. 10\(3\)](#)
- s. 73A excluded by [S.I. 2016/73 art. 8\(3\)](#)
- s. 73A excluded by [S.I. 2016/863 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2017/1150 art. 4\(2\)](#)
- s. 73A excluded by [S.I. 2017/1214 art. 5\(3\)](#)
- s. 73A excluded by [S.I. 2017/1329 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2017/830 art. 3\(3\)](#)
- s. 73A excluded by [S.I. 2018/446 art. 4\(2\)](#)
- s. 73A excluded by [S.I. 2018/574 art. 7\(3\)](#)
- s. 73A excluded by [S.I. 2018/994 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2019/359 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2020/1075 art. 11\(3\)](#)
- s. 73A excluded by [S.I. 2020/114 art. 4\(2\)](#)
- s. 73A excluded by [S.I. 2020/1297 art. 8\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). [S.I. 2020/1297](#) was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- s. 73A excluded by [S.I. 2020/402 art. 9\(3\)](#)
- s. 73A excluded by [S.I. 2020/474 art. 7\(3\)](#)

- s. 73A excluded by S.I. 2020/528 art. 13(3)
- s. 73A excluded by S.I. 2020/556 art. 9(3)
- s. 73A excluded by S.I. 2020/746 art. 9(3)
- s. 73A excluded by S.I. 2021/74 art. 10(3)
- s. 73A excluded by S.I. 2022/1067 art. 4(2)
- s. 73A excluded by S.I. 2022/1070 art. 11(3)
- s. 73A excluded by S.I. 2022/1194 art. 12(3)(e)
- s. 73A excluded by S.I. 2022/1248 art. 12(3)
- s. 73A excluded by S.I. 2022/299 art. 3(3)(d)
- s. 73A excluded by S.I. 2022/475 art. 9(3)
- s. 73A excluded by S.I. 2022/549 art. 11(3)
- s. 73A excluded by S.I. 2022/573 art. 10(3)
- s. 73A excluded by S.I. 2022/738 art. 11(3)(e)
- s. 73A excluded by S.I. 2022/853 art. 15(2)
- s. 73A excluded by S.I. 2022/911 art. 10(3)(e)
- s. 73A excluded by S.I. 2022/922 art. 10(3)
- s. 73A excluded by S.I. 2022/934 art. 11(3)
- s. 73A excluded by S.I. 2023/218 art. 11(3)
- s. 73A excluded by S.I. 2023/778 art. 11(3)
- s. 73A excluded by S.I. 2023/834 art. 8(3)
- s. 73A excluded by S.I. 2024/360 art. 8(3)
- s. 73A excluded by S.I. 2024/393 art. 12(3)
- s. 73A excluded by S.I. 2024/60 art. 12(3)
- s. 73A-73C inserted by 2004 c. 18 s. 55(1)
- s. 73A modified by S.I. 2009/3188 Sch. para. 3.12
- s. 73A modified by S.I. 2013/1781 art. 2Sch. para. 2.4
- s. 73A modified by S.I. 2013/2389 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2013/2398 Sch. para. 1.5AppendixA
- s. 73A modified by S.I. 2013/2399 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2013/805 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/806 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/808 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/809 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/810 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/811 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/812 art. 2Sch. Appendix C (When in force)
- s. 73A modified by S.I. 2013/813 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2013/814 art. 2Sch. Appendix C
- s. 73A modified by S.I. 2014/3105 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2014/3106 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2014/3107 art. 2Sch. para. 1.9
- s. 73A modified by S.I. 2014/3108 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2014/3109 art. 2Sch. para. 1.5AppendixE
- s. 73A modified by S.I. 2014/3109 art. 2Sch. para. 1.5
- s. 73A modified by S.I. 2014/3112 art. 2Sch. para. 2.12.2
- s. 73A modified by S.I. 2015/105 Sch. 1 para. 2.8.1
- s. 73A modified by S.I. 2015/107 Sch. 1 para. 3.5
- s. 73A modified by S.I. 2015/34 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2015/38 art. 2Sch. para. 1.8
- s. 73A modified by S.I. 2015/90 Sch. para. 2.8.1
- s. 73A modified by S.I. 2015/91 Sch. para. 2.7.1
- s. 73A(1) excluded by S.I. 2014/2384 Sch. 19 Pt. 1 para. 4(8)
- s. 73A(1) excluded by S.I. 2019/1358 Sch. 14 para. 3(8)
- s. 73A(1) restricted by 2008 c. 18 Sch. 14 para. 14(8)
- s. 73A(1) restricted by 2017 c. 7 Sch. 24 para. 2(8)
- s. 73A(1) restricted by 2021 c. 2 Sch. 24 para. 2(8)
- s. 73A(1) restricted by S.I. 2020/511 Sch. 14 para. 3(8)
- s. 73A(2)(a) modified by S.I. 2007/3372 reg. 37(3)

- s. 73A(2)(a) modified by S.I. 2009/1267 reg. 37(3)
- s. 73B excluded by S.I. 2005/120 art. 4(3)
- s. 73B excluded by S.I. 2006/2905 art. 3(3)
- s. 73B excluded by S.I. 2007/2297 art. 3(2)
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- s. 73C excluded by S.I. 2022/1070 art. 11(3)
- s. 73C excluded by S.I. 2022/1194 art. 12(3)(g)
- s. 73C excluded by S.I. 2022/1248 art. 12(3)
- s. 73C excluded by S.I. 2022/299 art. 3(3)(f)
- s. 73C excluded by S.I. 2022/475 art. 9(3)
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- s. 73C excluded by S.I. 2024/393 art. 12(3)
- s. 73C excluded by S.I. 2024/60 art. 12(3)
- s. 73D73E inserted by 2004 c. 18 s. 56
- s. 78A excluded by S.I. 2005/120 art. 4(3)
- s. 78A excluded by S.I. 2006/2905 art. 3(3)
- s. 78A excluded by S.I. 2007/2297 art. 3(2)
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- s. 78A excluded by S.I. 2022/738 art. 11(3)(h)
- s. 78A excluded by S.I. 2022/853 art. 15(2)
- s. 78A excluded by S.I. 2022/911 art. 10(3)(h)
- s. 78A excluded by S.I. 2022/922 art. 10(3)
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- s. 78A inserted by 2004 c. 18 s. 57(1)
- s. 78A modified by 2017 c. 7 Sch. 24 para. 2(10)
- s. 78A(1) excluded by S.I. 2014/2384 Sch. 19 Pt. 1 para. 4(8)
- s. 78A(1) excluded by S.I. 2019/1358 Sch. 14 para. 3(8)
- s. 78A(1) restricted by S.I. 2020/511 Sch. 14 para. 3(8)
- s. 78A(1)(b) modified by 2021 c. 2 Sch. 24 para. 2(10)
- s. 78A(1)(b) restricted by 2008 c. 18 Sch. 14 para. 14(9)
- s. 79(1A) inserted by 2004 c. 18 s. 46(2)
- s. 79(2A) inserted by 2004 c. 18 s. 46(3)
- s. 79(3A) inserted by 2004 c. 18 s. 46(4)
- s. 80(1A) inserted by 2004 c. 18 s. 47(3)
- s. 80(2)(2A) substituted for s. 80(2)(3) by 2004 c. 18 s. 47(4)
- s. 80(5)(6) added by 2004 c. 18 s. 47(6)
- s. 90(2A) inserted by 2004 c. 18 s. 53(2)(b)
- s. 97(3) inserted by 2004 c. 18 s. 64(4)
- s. 112B(2A) inserted by 2019 asp 17 s. 117(2)(a)
- s. 112B(5A) inserted by 2019 asp 17 s. 117(2)(b)
- s. 112B(9) inserted by 2019 asp 17 s. 117(2)(d)
- s. 114A inserted by 2019 asp 17 s. 117(3)
- s. 126(1ZA) inserted by 2019 asp 17 s. 116(2)(a)
- s. 126(2ZA) inserted by 2019 asp 17 s. 116(2)(b)
- s. 126(2ZB) inserted by 2019 asp 17 s. 116(2)(c)
- s. 129(5B) inserted by 2019 asp 17 s. 117(4)(c)
- s. 130A-130C inserted by 2019 asp 17 s. 118(2)
- s. 130B inserted by 2005 asp 12 s. 38(1)
- s. 132A-132C and cross-heading inserted by 2005 asp 12 s. 30(1)
- s. 132A-132E repealed by 2019 asp 17 sch. para. 6(7)
- s. 132D132E inserted by 2005 asp 12 s. 31
- s. 137A inserted by 2005 asp 12 s. 32(1)
- s. 137A repealed by 2019 asp 17 sch. para. 6(7)
- s. 138A substituted for s. 138 by 2019 asp 17 s. 119(2)
- s. 139(1A)(1B) substituted for s. 139(1) by 2019 asp 17 s. 119(3)(a)
- s. 143(2)(b)(i) words inserted by 2005 asp 12 s. 38(2)
- s. 153A-153I and cross-heading inserted by 2019 asp 17 s. 111(2)
- s. 154B inserted by 2005 asp 12 s. 35
- s. 163(2A) inserted by 2019 asp 17 s. 111(3)
- Sch. 6B para. 1(2)(a) Sch. 6B para. 1(2) renumbered as Sch. 6B para. 1(2)(a) by 2019 asp 17 s. 112(3)(c)(i)
- Sch. 6B para. 1(1A) inserted by 2019 asp 17 s. 112(3)(b)
- Sch. 6B para. 1(2)(b) inserted by 2019 asp 17 s. 112(3)(c)(ii)
- Sch. 6B para. 4(1A) inserted by 2019 asp 17 s. 112(3)(d)(ii)

- Sch. 6B para. 5(A1) inserted by [2019 asp 17 s. 112\(3\)\(e\)](#)
- Sch. 6B para. 13A inserted by [2019 asp 17 s. 112\(3\)\(g\)](#)