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**Changes to legislation:** Scotland Act 2016, Paragraph 35 is up to date with all changes known to be in force on or before 16 September 2023. 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 2

### ROADS: CONSEQUENTIAL AND RELATED PROVISION

#### Commencement Information

**II** [Sch. 2](#) in force at 23.5.2016 see [s. 44](#)

#### PART 2

##### EXERCISE OF POWERS BY AGREEMENT

###### *Powers to exempt from speed limits*

- 35 (1) Sub-paragraph (2) applies in relation to the first statutory instrument made by the Secretary of State containing regulations under section 87(1)(b) of the Road Traffic Regulation Act 1984 as substituted by section 19 of the Road Safety Act 2006 (exemptions from speed limits: prescribed purposes and circumstances) in relation to vehicles used on roads in England.
- (2) Despite anything in section 41 or 42 or Part 1 of this Schedule, the Secretary of State may by that instrument, with the consent of the Scottish Ministers—
- (a) make any provision under section 87(1)(b) of the Road Traffic Regulation Act 1984 that could be made by the Scottish Ministers, and
  - (b) in connection with any provision made by virtue of paragraph (a), make any provision under any of the traffic signs powers mentioned in paragraph 34(3) that could be made by the Scottish Ministers.
- (3) The Secretary of State may exercise a power in any way by virtue of this paragraph only if the Secretary of State could have exercised it in that way but for the amendments made by sections 41 and 42 and Part 1 of this Schedule.

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2017/455, reg. 3 by [S.I. 2019/1438 reg. 2](#)