

Changes to legislation: Scotland Act 2016, PART 2 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

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

Traffic Sign Powers

- 34 (1) Sub-paragraph (2) applies if the Secretary of State makes a statutory instrument revoking the following instruments in relation to England and Wales—
- (a) the Zebra, Pelican and Puffin Pedestrian Crossing Regulations and General Directions 1997 (S.I. 1997/2400);
 - (b) the Traffic Signs (Temporary Obstructions) Regulations 1997 (S.I. 1997/3053);
 - (c) the Traffic Signs Regulations and General Directions 2002 (S.I. 2002/3113).
- (2) Despite anything in section 41 or 42 or Part 1 of this Schedule, the Secretary of State may by that instrument exercise one or more of the traffic signs powers to make provision in relation to roads in Scotland (including provision revoking one or more of the instruments mentioned in sub-paragraph (1) in relation to Scotland), with the consent of the Scottish Ministers.
- (3) The traffic signs powers are—
- (a) the power to make regulations under section 25 of the Road Traffic Regulation Act 1984 (pedestrian crossings);
 - (b) the power to make regulations under section 64 of that Act (traffic signs);
 - (c) the power to give general directions under section 65(1) of that Act (placing of traffic signs);
 - (d) the power to give general directions under section 85(2) of that Act (traffic signs for indicating speed restrictions);
 - (e) the power to make regulations under section 36(5) of the Road Traffic Act 1988 (traffic signs: discretionary disqualification for failure to comply).
- (4) 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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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.

Changes to legislation:

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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](#)