

2004 No. 2380 (C.102)

HIGHWAYS, ENGLAND

**The Traffic Management Act 2004 (Commencement No. 1
and Transitional Provision) (England) Order 2004**

Made - - - - - 13th September 2004

The Secretary of State for Transport, in exercise of the powers conferred by section 99 of the Traffic Management Act 2004(a), hereby makes the following Order:

Citation

1. This Order may be cited as the Traffic Management Act 2004 (Commencement No. 1 and Transitional Provision) (England) Order 2004.

Commencement of provisions

2. The following provisions of the Traffic Management Act 2004 shall come into force as respects England on 4th October 2004:

- (a) sections 1 to 12;
- (b) section 13, except subsection (2) of the inserted section 245A of the Highways Act 1980(b);
- (c) sections 14 and 15;
- (d) subject to the transitional provision set out in article 3—
 - (i) section 40(1) and (2) (and accordingly Schedule 1),
 - (ii) section 40(3), except the words “or (4A)” in the substituted paragraph (a) of section 70(6) of the New Roads and Street Works Act 1991(c), and
 - (iii) section 40(4) and (5);
- (e) sections 60 to 63;
- (f) section 95;
- (g) section 97; and
- (h) section 98, in so far as it relates to Part 2 of Schedule 12 (and accordingly Part 2 of Schedule 12).

(a) 2004 c. 18.
(b) 1980 c. 66.
(c) 1991 c. 22.

Transitional provision

3. The increase in penalties effected by the coming into force of section 40 of, and Schedule 1 to, the Traffic Management Act 2004 shall not apply in relation to offences committed before 4th October 2004.

Signed by authority of the Secretary of State for Transport

13th September 2004

David Jamieson
Parliamentary Under Secretary of State,
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 4th October 2004, as respects England, the following provisions of the Traffic Management Act 2004.

Part 1 (except part of section 13), which relates to traffic officers.

Section 40 and Schedule 1 (except part of section 40(3)), which relate to increases in penalties for summary offences under the New Roads and Street Works Act 1991. Article 3 provides that the increase in penalties shall not apply in relation to offences committed before 4th October 2004.

Sections 60 to 63, which provide for the designation of strategic roads in London and related matters.

Section 95, which relates to the application of surplus income from parking places.

Section 97 (Financial provision).

Section 98 and Part 2 of Schedule 12, which give effect to repeals consequential upon the coming into force of these provisions.

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