



Transport (Scotland) Act 2005

2005 asp 12

TRANSPORT (SCOTLAND) ACT 2005

PART 1

REGIONAL TRANSPORT

CHAPTER 1

REGIONAL TRANSPORT PARTNERSHIPS

Establishment etc.

- 1 Establishment of regional Transport Partnerships
- 2 Dissolution of regional Transport Partnerships

Administration

- 3 Regional Transport Partnerships: funding and borrowing
- 4 Further provision about regional Transport Partnerships

Regional transport strategies

- 5 Formulation and content of regional transport strategies
- 6 Procedure before and after the drawing up of regional transport strategies
- 7 Review, modification and renewal of regional transport strategies
- 8 Duty of constituent councils and other public bodies as respects regional transport strategies
- 9 Joint regional transport strategies

Regional transport functions

- 10 Other transport functions of regional Transport Partnerships
- 11 Alteration of functions of regional Transport Partnerships
- 12 Manner of performance of functions of regional Transport Partnerships

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Transport (Scotland) Act 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

CHAPTER 2

TRANSPORT FUNCTIONS: FURTHER PROVISIONS

- 13 Transfer to Scottish Ministers of certain rail provisions
- 14 Arrangements for performance by regional Transport Partnership of certain transport functions etc.

CHAPTER 3

SUPPLEMENTARY AND CONSEQUENTIAL PROVISION

- 15 Transfer of staff, property, rights and liabilities

PART 2

ROAD WORKS

The Scottish Road Works Commissioner

- 16 Creation, appointment, status and funding of Scottish Road Works Commissioner
- 17 Functions of Commissioner
- 18 Duty of road works authority and undertakers to provide Commissioner with information

The Scottish Road Works Register

- 19 The Scottish Road Works Register

Miscellaneous

- 20 Directions as to timing of road works
- 21 Directions as to placing of apparatus in roads
- 22 Restriction on works following substantial road works
- 23 Duty of road works authority to co-ordinate road works etc.
- 24 Duty of undertakers to co-operate with authorities and other undertakers
- 25 Enforcement of sections 118 and 119 of 1991 Act
- 26 Qualifications of supervisors and operatives
- 27 Duty of authorities, undertakers etc. to ensure competence of employees etc.
- 28 Duty of undertaker to notify completion of road works: form and procedure
- 29 Notices requiring remedial works relating to reinstatements

Resurfacing

- 30 Power of road works authority to require undertaker to resurface road
- 31 Resurfacing: regulations and guidance
- 32 Contributions to costs of resurfacing by undertaker

Enforcement of 1991 Act

- 33 Increase in penalties for summary offences under 1991 Act
- 34 Fixed penalty offences
- 35 Civil penalties for certain offences under 1991 Act

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Resolution of disputes under 1991 Act

- 36 Method of settlement of certain disputes under 1991 Act

Enforcement of certain offences under the Roads (Scotland) Act 1984

- 37 Fixed penalty offences under the Roads (Scotland) Act 1984
38 Civil penalties for certain offences under the roads (Scotland) Act 1984
39 Consultation on regulations and codes of practice

PART 3

MISCELLANEOUS

- 40 National travel concession schemes
41 Public Transport Users' Committee for Scotland
42 Functions of the Committee
43 Guidance and direction to the Committee
44 Abolition of requirement on local traffic authority to inform the Scottish Ministers about certain pedestrian crossings
45 Modification of Highlands and Islands Shipping Services Act 1960 and loans for transport-related purposes
46 Amendment of procedure for dealing with applications for harbour orders
47 Amendment of procedure where harbour revision orders are made by the Scottish Ministers of their own motion
48 Transitional provision for sections 46 and 47
49 Badges for vehicles used for disabled people: change of terminology
50 Extension of remit of Bus User Complaints Tribunal
51 Minor amendments of Transport (Scotland) Act 2001

PART 4

GENERAL

- 52 Orders and regulations
53 Interpretation
54 Short title and commencement

SCHEDULE 1 — Further provision about regional Transport Partnerships

Staff

- 1 A Transport Partnership shall appoint such employees as it considers...
2 If— (a) proceedings are brought against an employee of a...
3 A Transport Partnership— (a) shall obtain an appropriate guarantee for...
4 If it comes to the knowledge of a person who...
5 (1) An employee of a Transport Partnership who, under colour...

Land

- 6 (1) For the purposes of its functions, a Transport Partnership...
7 (1) A Transport Partnership may— (a) develop, for use by...
8 In paragraphs 6 and 7 above, references to the functions...

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- 9 (1) A Transport Partnership may dispose of land; and section...

Private legislation

- 10 (1) A Transport Partnership may, if it thinks fit, promote...

Participation in community planning

- 11 In the Local Government in Scotland Act 2003 (asp 1)—...

Forming companies

- 12 A Transport Partnership may (whether alone or with others, who...

Legal proceedings, notices etc.

- 13 (1) Sections 189 to 193, 195 and 197 to 199...

Reporting and information

- 14 A Transport Partnership shall— (a) as soon as practicable after...

Finance etc.

- 15 (1) The Local Government (Scotland) Act 1973 (c. 65) is...

Contracts etc.

- 16 (1) The following enactments apply in relation to a Transport...

Standards of members' conduct

- 17 In schedule 3 to the Ethical Standards in Public Life...

Expenses of observers

- 18 A Transport Partnership may pay to persons appointed, as respects...

Investigation

- 19 In Part 1 of schedule 2 to the Scottish Public...

Freedom of information

- 20 In schedule 1 to the Freedom of Information (Scotland) Act...

SCHEDULE 2 — Scottish Road Works Commissioner: further provision

Staff

- 1 (1) The Commissioner may, with the consent of the Scottish...

Accounts

- 2 The Commissioner shall— (a) prepare, for each financial year and...

Reports and information

- 3 The Commissioner shall— (a) as soon as practicable after the...

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Freedom of information

4 In schedule 1 to the Freedom of Information (Scotland) Act...

SCHEDULE 3 — Increase in maximum fines for certain summary offences under the 1991 Act

SCHEDULE 4 — Schedule 6A to the New Roads and Street Works Act 1991

SCHEDULE 5 — Schedule 6B to the New Roads and Street Works Act 1991

SCHEDULE 6 — Schedule 8A to the Roads (Scotland) Act 1984

SCHEDULE 7 — Schedule 8B to the Roads (Scotland) Act 1984

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Changes and effects yet to be applied to :

- Sch. 1 para. 12 words substituted by [S.I. 2009/1941 Sch. 1 para. 251](#)

Commencement Orders yet to be applied to the Transport (Scotland) Act 2005:

Commencement Orders bringing provisions within this Act into force:

- [S.S.I. 2005/454 art. 2 Sch. 1-3](#) commences (2005 asp 12)
- [S.S.I. 2007/161 art. 2](#) commences (2005 asp 12)
- [S.S.I. 2007/409 art. 2](#) commences (2005 asp 12)
- [S.S.I. 2008/15 art. 2](#) commences (2005 asp 12)
- [S.S.I. 2008/90 art. 2](#) amendment to earlier commencing SSI 2008/15