



Transport (Scotland) Act 2005

2005 asp 12

PART 4 **S**

GENERAL

52 Orders and regulations **S**

- (1) Any power of the Scottish Ministers under this Act to make an order or regulations shall be exercisable by statutory instrument.
- (2) Subject to subsection (3) below, a statutory instrument containing an order (other than an order made under section 54(2) below) or regulations made under this Act shall be subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (3) A statutory instrument containing an order made under section 1(1), 2(1) or (2), 10(1), 11(1), 13(1) or 40(1) above shall not be made unless a draft of the order has been laid before, and approved by a resolution of, the Scottish Parliament.
- (4) Orders and regulations under this Act may make—
 - (a) different provision for different purposes; and
 - (b) supplemental, incidental, consequential, transitory, transitional or saving provision.

53 Interpretation **S**

- (1) In Part 1 of this Act, “council” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39).
- (2) In Part 2 of this Act—
 - “the Commissioner” has the meaning given by section 16 above; and
 - “the 1991 Act” means the New Roads and Street Works Act 1991 (c. 22).
- (3) Expressions used in Part 2 of this Act and in the 1991 Act have, in this Act, the same meaning as in that Act.

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) [View outstanding changes](#)

Commencement Information

II [S. 53](#) in force at 10.10.2005 by [S.S.I. 2005/454](#), art. 2, [Sch. 2](#)

54 Short title and commencement **S**

- (1) This Act may be cited as the Transport (Scotland) Act 2005.
- (2) This Act (except this section and section 52 above) comes into force in accordance with provision made by order by the Scottish Ministers.

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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. 18A-18F inserted by [2019 asp 17 s. 110\(2\)](#)
- sch. 2 para. 3(2)(3) inserted by [2019 asp 17 s. 110\(4\)\(b\)](#)
- sch. 2 para. 3(1) sch. 2 para. 3 renumbered as sch. 3 para. 3(1) by [2019 asp 17 s. 110\(4\)\(a\)](#)

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

Commencement Orders bringing provisions within this Act into force:

- [S.S.I. 2008/90 art. 2](#) amendment to earlier commencing SSI 2008/15 art. 3