



# Transport (Scotland) Act 2005

## 2005 asp 12

### PART 4

#### GENERAL

#### 52 Orders and regulations

- (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

- (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.

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*Status: This is the original version (as it was originally enacted).*

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## **54      Short title and commencement**

- (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.