



# Transport (Scotland) Act 2005

## 2005 asp 12

### PART 2

#### ROAD WORKS

##### *Miscellaneous*

## 22 Restriction on works following substantial road works

(1) In section 117 of the 1991 Act (restriction on works following substantial road works)

- <sup>F1</sup>(a) . . . . .
- (b) in subsection (6), at the beginning of paragraph (b) there is inserted “ if convicted of an offence under this subsection, ”; and
- (c) at end there is inserted—

“(9) The Scottish Ministers may issue or approve for the purposes of this section a code of practice giving practical guidance as to the performance by road works authorities of their functions under this section; and in carrying out those functions a road works authority shall have regard to the code of practice.”.

(2) In section 114 of the 1991 Act (notice of starting date of works), in subsection (2), after “works” there is inserted “ or in cases where the undertaker has been given notice under section 117(1) ”.

#### Textual Amendments

**F1** S. 22(1)(a) repealed (22.9.2023) by [Transport \(Scotland\) Act 2019 \(asp 17\)](#), s. 130(2), [sch. para. 7\(2\)](#) (with s. 126); [S.S.I. 2023/250](#), [sch.](#)

#### Commencement Information

**I1** S. 22(1)(b)(c)(2) in force at 1.4.2008 by [S.S.I. 2008/15](#), [art. 2\(2\)](#), [Sch. 1](#) (with [art. 3](#))

**Changes to legislation:**

Transport (Scotland) Act 2005, Section 22 is up to date with all changes known to be in force on or before 18 March 2024. 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.

[View outstanding changes](#)

**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