



# Transport (Scotland) Act 2005

## 2005 asp 12

### PART 2

#### ROAD WORKS

##### *Miscellaneous*

#### **23 Duty of road works authority to co-ordinate road works etc.**

- (1) Section 118 of the 1991 Act (road works authority's duty to co-ordinate road works etc.) is amended in accordance with subsections (2) to (5) below.
- (2) After subsection (2) there is inserted—
  - “(2A) In discharging their duty under this section, a road works authority shall have regard to all information in the SRWR which relates to the functions of the authority.
  - (2B) A road works authority shall, so as to maximise the utility of that information for the purposes of subsection (2A)—
    - (a) assist the Commissioner in complying with the duty imposed by subsection (1) of section 112A (as read with subsection (2) of that section), and
    - (b) keep that information under surveillance.”.
- (3) In subsection (3), after “co-ordination”, there is inserted “ and the specific duties imposed by subsections (2) to (2B) ”.
- (4) After that subsection there is inserted—
  - “(3A) In discharging all the duties referred to in subsection (3), a road works authority shall have regard also to such guidance as is contained in the practice referred to in section 17(4)(b) of the Transport (Scotland) Act 2005 (asp 12).”.
- (5) In subsections (4) and (5), for “Secretary of State”, in each place where it occurs, there is substituted “ Commissioner ”.

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**Changes to legislation:** There are currently no known outstanding effects for the  
Transport (Scotland) Act 2005, Section 23. (See end of Document for details)

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**Annotations:**

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**Commencement Information**

**II** [S. 23](#) in force at 1.4.2008 by [S.S.I. 2008/15](#), art. 2(2), [Sch. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Transport (Scotland) Act 2005, Section 23.