



# Transport (Scotland) Act 2005

## 2005 asp 12

### PART 2

#### ROAD WORKS

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

#### **39 Consultation on regulations and codes of practice**

After section 163 of the 1991 Act there is inserted the following section—

##### **“163A Consultation on regulations and codes of practice**

(1) Before—

- (a) making, amending or revoking regulations under or for the purposes of any provision of this Part, or
- (b) issuing, amending or revoking a code of practice under or for the purposes of any such provision or approving any such code of practice or its amendment or revocation,

the Scottish Ministers shall consult the persons and authorities set out in subsection (2).

(2) Those persons and authorities are such—

- (a) persons considered by the Scottish Ministers to be representative of the interests of undertakers,
- (b) road works authorities,
- (c) other persons,

as the Scottish Ministers think appropriate.”

#### **Commencement Information**

**II** S. 39 in force at 1.10.2007 by [S.S.I. 2007/409, art. 2](#)

**Changes to legislation:**

Transport (Scotland) Act 2005, Section 39 is up to date with all changes known to be in force on or before 04 February 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