

Changes to legislation: There are currently no known outstanding effects for the Transport and Works (Scotland) Act 2007. (See end of Document for details)

SCHEDULE 1

(introduced by section 2(1))

MATTERS WITHIN SECTION 1

Modifications etc. (not altering text)

C1 Sch. 1 applied (23.2.2017) by [High Speed Rail \(London - West Midlands\) Act 2017 \(c. 7\)](#), **ss. 52(2)(3), 70(1)**

- 1 The construction, alteration, repair and maintenance of railways, tramways, trolley vehicle systems and other transport systems within section 1(1)(a), waterways, roads, watercourses, tunnels, bridges, buildings and other structures.

Commencement Information

I1 Sch. 1 para. 1 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

- 2 The carrying out of demolition or any other civil engineering or other works.

Commencement Information

I2 Sch. 1 para. 2 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

- 3 The acquisition of land, whether compulsorily or by agreement.

Commencement Information

I3 Sch. 1 para. 3 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

- 4 The creation and extinguishment of rights over land (including rights of navigation over water and fishing rights), whether compulsorily or by agreement.

Commencement Information

I4 Sch. 1 para. 4 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

- 5 The abrogation and modification of agreements relating to land.

Commencement Information

I5 Sch. 1 para. 5 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

- 6 The conferring on persons providing transport services of rights to use systems belonging to others.

Commencement Information

I6 Sch. 1 para. 6 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

- 7 The protection of the property or interests of any person.

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Commencement Information

I7 Sch. 1 para. 7 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

8 The imposition and exclusion of obligations or of liability in respect of any acts or omissions.

Commencement Information

I8 Sch. 1 para. 8 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

9 The making of agreements to secure the provision of police services.

Commencement Information

I9 Sch. 1 para. 9 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

10 The carrying out of surveys and the taking of soil samples.

Commencement Information

I10 Sch. 1 para. 10 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

11 The payment of compensation.

Commencement Information

I11 Sch. 1 para. 11 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

12 The charging of tolls, fares (including penalty fares) and other charges, and the creation of offences in connection with non-payment (or in connection with a person's failure to give a name and address in accordance with provisions relating to penalty fares).

Commencement Information

I12 Sch. 1 para. 12 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

13 The making of byelaws by any person and their enforcement, including the creation of offences.

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I13 Sch. 1 para. 13 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

14 The payment of rates.

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I14 Sch. 1 para. 14 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

15 The transfer, leasing, discontinuance and revival of undertakings.

Commencement Information

I15 Sch. 1 para. 15 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

16 The transfer of powers to construct or operate a transport system or inland waterway.

Commencement Information

I16 Sch. 1 para. 16 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

17 The submission of disputes to arbitration.

Commencement Information

I17 Sch. 1 para. 17 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

18 The imposition of requirements to obtain the consent of the Scottish Ministers or another person.

Commencement Information

I18 Sch. 1 para. 18 in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

SCHEDULE 2

(introduced by section 29(1))

MODIFICATION OF ENACTMENTS

Roads (Scotland) Act 1984 (c. 54)

1 The Roads (Scotland) Act 1984 is amended as follows.

Commencement Information

I19 [Sch. 2 para. 1](#) in force at 28.12.2007 by [S.S.I. 2007/516](#), **art. 2**

2 In section 7(9) (special roads)—
(a) the words from “Part IV” to “1945; and” are repealed, and
(b) for the words “such schemes” substitute “ schemes under this section ”.

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I20 Sch. 2 para. 2 in force at 28.12.2007 by S.S.I. 2007/516, art. 2

- 3 In Schedule 1 (procedure on orders and schemes)—
- (a) in paragraph 5, for the words “paragraphs 6 and 19” substitute “ paragraph 6 ”, and
 - (b) in paragraph 11, for the words “paragraphs 12 and 19” substitute “ paragraph 12 ”.

Commencement Information

I21 Sch. 2 para. 3 in force at 28.12.2007 by S.S.I. 2007/516, art. 2

New Roads and Street Works Act 1991 (c. 22)

- 4 In section 27(3) (toll orders) of the New Roads and Street Works Act 1991, for the words “, paragraphs 15 and 18 of Part III, and Part IV” substitute “ and paragraphs 15 and 18 of Part III ”.

Commencement Information

I22 Sch. 2 para. 4 in force at 28.12.2007 by S.S.I. 2007/516, art. 2

SCHEDULE 3

(introduced by section 29(2))

REPEALS

Commencement Information

I23 Sch. 3 in force at 28.12.2007 by S.S.I. 2007/516, art. 2

<i>Enactment</i>	<i>Extent of repeal</i>
Harbours Act 1964 (c. 40)	In section 18(4), the words from “and a harbour” to “parliamentary procedure” In section 44(1), the words from “(not being” to “of that Act)” Section 47(3) In Schedule 3, paragraph 23
Docks and Harbours Act 1966 (c. 28)	Section 42(2)(a)
Roads (Scotland) Act 1984 (c. 54)	Sections 5(5), 7(8), 76(4) and 77(3) In Schedule 1, in each of paragraphs 7(1), 13(1) and 14C the words “Subject to paragraph 19 below,” In Schedule 1, paragraph 14D

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	In Schedule 1, in paragraph 18 the words “, but without prejudice to paragraph 19 below”
	In Schedule 1, paragraph 19
	In Schedule 2, paragraphs 5 and 6
Pilotage Act 1987 (c. 21)	Section 1(7) and (8)
	In section 30(2), the words “to which subsection (8) of that section applies”
New Roads and Street Works Act 1991 (c. 22)	In Schedule 8, paragraphs 96(3) and 97
Transport and Works Act 1992 (c. 42)	In Schedule 3, paragraph 5(4)
Water Industry (Scotland) Act 2002 (asp 3)	In schedule 7, paragraph 14(2) and (3)

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