These notes refer to the Road Safety Act 2006 (c.49)
which received Royal Assent on 8 November 2006

ROAD SAFETY ACT 2006

EXPLANATORY NOTES

SUPPLEMENTARY PROVISIONS

Section 60: Power to make amendments

213. Section 60 enables the Secretary of State to make amendments to other legislation (primary and secondary) where, as a consequence of the coming into force of a provision of the Act, he considers it appropriate to do so. Although every attempt has been made to amend or repeal all provisions of other legislation which conflict with, or are inconsistent with, a provision of the Act, such a power would need to be exercised if following Royal Assent it was discovered that the effect of a particular provision had been overlooked. The power might be also be applied to a provision of an Act passed after this Act but before the provision in question comes into force.

214. The exercise of the power is subject to an affirmative resolution in both Houses of Parliament.

Section 61: Commencement

215. Section 61 provides for commencement of the Act's provisions. Save for sections 1 and 49 and certain miscellaneous and supplementary provisions, the provisions of the Act will come into force on a day appointed by order of the Secretary of State. Sections 1 and 49 come into force two months after Royal Assent. *Subsection (8)* provides for sections 5, 8, 9 and 10 and Schedules 1, 2 and 3 to be brought into force in a particular order to give effect to the purpose of the Act. Sections 51, 58 and 60 will come into effect on Royal Assent.

216. *Subsection (4)* provides that section 2B of the RTA (the new offence of causing death by careless, or inconsiderate, driving) and section 3ZB of that Act (the new offence of causing death by driving: unlicensed, disqualified or uninsured drivers) will only apply to driving occurring after those sections are commenced.

217. The effect of *subsection (5)* is that where offences under sections 2B and 3ZB of the RTA are committed before the commencement of section 154(1) Criminal Justice Act 2003 the maximum custodial penalty on summary conviction, throughout Great Britain, will be 6 months. Once that provision does come into force, magistrates' courts in England and Wales will have the full benefit of their extended sentencing powers, such as the custody plus scheme.