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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 429 (C. 41)**

**TRANSPORT**

**The Transport (Scotland) Act 2019  
(Commencement No. 3) Regulations 2020**

*Made - - - - 10th December 2020*  
*Laid before the Scottish*  
*Parliament - - - - 14th December 2020*  
*Coming into force - - 14th January 2021*

The Scottish Ministers make the following Regulations in exercise of the power conferred by section 130(2) of the Transport (Scotland) Act 2019<sup>(1)</sup>.

**Citation and commencement**

1. These Regulations may be cited as the Transport (Scotland) Act 2019 (Commencement No. 3) Regulations 2020 and come into force on 14 January 2021.

**Appointed day**

2. The day appointed for the coming into force of the following provisions of the Transport (Scotland) Act 2019 is 14 January 2021—

- (a) Part 2 (low emission zones), in so far as that Part is not already in force,
- (b) section 49 (travel concession schemes: application to community transport),
- (c) section 52 (exemption orders: form and procedure),
- (d) section 67 (Ministerial directions),
- (e) section 68 (Ministerial guidance), and
- (f) section 109 (status of the Scottish Road Works Commissioner).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
10th December 2020

*MICHAEL MATHESON*  
A member of the Scottish Government

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations bring Part 2 (with the exception of section 25 which came into force on 15 January 2020) and sections 49, 52, 67, 68 and 109 of the Transport (Scotland) Act 2019 (“the Act”) into force on 14 January 2021.

Part 2 of the Act concerns the effect, creation, modification and operation of low emission zone schemes and enables enforcement of these schemes through powers to set nationally consistent standards on emissions, penalties and exemptions.

Section 49 amends section 93 of the Transport Act 1985 to require the Scottish Ministers to publish a report setting out their assessment of the costs and benefits of extending local travel concession schemes under that Act to community bus services and any other transport services as the Scottish Ministers consider appropriate.

Section 52 enables Scottish Ministers by regulations to make provision in connection with the making, amendment and revocation of exemption orders in relation to the parking prohibitions set out in Part 6 of the Act.

Sections 67 and 68 allow for the Scottish Ministers to provide direction or issue written guidance to local authorities in connection with the exercise of their functions under Part 6 of the Act.

Section 109 amends section 16 of the Transport (Scotland) Act 2005 and clarifies that the Scottish Road Works Commissioner is to be regarded as a juristic person distinct from the individual who holds the office.

The Bill for the Act received Royal Assent on 15 November 2019. Sections 128 to 131 came into force on the following day.

## NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

*(This note is not part of the Regulations)*

The following provisions of the Transport (Scotland) Act 2019 have been brought into force by commencement regulations made before the date of these Regulations.

<i>Provisions of the 2019 Act</i>	<i>Date of Commencement</i>	<i>Instrument No.</i>
Sections 1 to 5	15 January 2020	<a href="#">S.S.I. 2019/428</a>
Section 25	15 January 2020	<a href="#">S.S.I. 2019/428</a>
Section 122(1)(a), (2) and (3)	19 March 2020	<a href="#">S.S.I. 2020/68</a>
Section 122(1)(b)	1 April 2020	<a href="#">S.S.I. 2020/68</a>