



Roads (Scotland) Act 1984

1984 CHAPTER 54

PART XIII

GENERAL

Supplementary

153 Consequential provision

The Secretary of State may by order make such incidental, consequential, transitional or supplementary provision as appears to him to be necessary or proper—

- (a) for the general or any particular purposes of this Act or in consequence of any of the provisions of, or for giving full effect to, this Act; or
- (b) in consequence of such of the provisions of any other Act passed in the same session as this Act as apply to any area or authority affected by this Act;

and nothing in any other provision of this Act shall be construed as prejudicing the generality of this subsection.

154 Local enactments

- (1) Subject to subsection (2) below, where any local enactment provides for any matter which is also provided for by any provision of this Act or of any statutory instrument made thereunder, the provision of this Act, or, as the case may be, of that statutory instrument, shall have effect in substitution for the local enactment, which shall cease to have effect.
- (2) The Secretary of State may by order except from the operation of subsection (1) above such local enactments as may be specified in the order and direct that the corresponding provisions of this Act or of any statutory instrument made thereunder as may be so specified shall not have effect in the areas in which the specified local enactments have effect.

- (3) If it appears to the Secretary of State that any local enactment, not being an enactment which has ceased to have effect by virtue of subsection (1) above, is inconsistent with any provision of this Act or of any statutory instrument made thereunder, or is no longer required, or requires to be amended, having regard to any provision of this Act or of any statutory instrument made thereunder, he may by order repeal or amend the local enactment as he may consider appropriate.

155 General adaptation of subordinate legislation etc.

Without prejudice to section 153 or 154 of this Act and except where the context otherwise requires or the Secretary of State by order under either of those sections otherwise provides, in any order, scheme, regulation or other instrument which before 1st January 1985 was made under or confirmed by a public general or local Act and in any local Act passed before or during the same session as this Act (such order, scheme, regulation, instrument or local Act not being an enactment which has ceased to have effect by virtue of subsection (1) of the said section 154) any reference—

- (a) to a street, to a highway or to a road shall be construed as a reference to a road within the meaning of this Act;
- (b) to a turnpike road, to a public carriage road, to a public highway, to a maintainable highway, to a public street or to a public road shall be construed as a reference to a public road within the meaning of this Act;
- (c) to a private street or to a private road shall be construed as a reference to a private road within the meaning of this Act;
- (d) to a prospective public road or to a prospective public street shall be construed as a reference to a road which is declared likely to become a public road in a declaration made by the local roads authority under Schedule 2 to the Public Utilities Street Works Act 1950 and is registered in the register kept by them under paragraph 2 of that Schedule ;
- (e) to a highway authority or to a street authority shall be construed as a reference to a roads authority within the meaning of this Act;
- (f) to a roadway or to a carriageway shall be construed as a reference to a carriageway within the meaning of this Act; and
- (g) to a cycle track, to a footpath or to a footway shall be construed in accordance with this Act.

156 Amendments, transitional provisions and repeals

- (1) The enactments specified in Schedule 9 to this Act shall have effect subject to the amendments there specified (being minor amendments or amendments consequential on the foregoing provisions of this Act).
- (2) The transitional provisions and savings contained in Schedule 10 to this Act shall have effect.
- (3) Subject to the provisions of the said Schedule 10, the enactments specified in Schedule 11 to this Act (which include enactments already obsolete or unnecessary) are hereby repealed to the extent specified in the third column of that Schedule.

157 Short title, commencement and extent

- (1) This Act may be cited as the Roads (Scotland) Act 1984.

Status: This is the original version (as it was originally enacted).

- (2) Subject to subsection (3) below, this Act, except this section, shall come into force on 1st January 1985 (in this Act referred to as " the commencement of this Act ").
- (3) The following provisions of this Act shall come into force on such day as the Secretary of State may by order appoint, and different days may be so appointed for different provisions, for different purposes and for different areas—
 - sections 36 to 40 ;
 - section 126 and Schedule 7 ;
 - section 156(3) and Schedule 11 in so far as they relate to Schedule 10 to the Road Traffic Regulation Act 1984.
- (4) This Act applies to Scotland only.