

Changes to legislation: Scotland Act 2016, Paragraph 15 is up to date with all changes known to be in force on or before 14 August 2023. 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. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 2

ROADS: CONSEQUENTIAL AND RELATED PROVISION

Commencement Information

II [Sch. 2](#) in force at 23.5.2016 see [s. 44](#)

PART 1

AMENDMENTS

Road Traffic Regulation Act 1984 (c. 52)

- 15 (1) Part 2 of Schedule 9 (consent of Secretary of State to certain orders) is amended as follows.
- (2) In the heading to the Part for “Secretary of State” substitute “ national authority ”.
- (3) In paragraph 13(1) (cases where consent is required) for “Secretary of State”, in each place, substitute “ national authority ”.
- (4) Paragraph 15 (Secretary of State's power to add to or remove from orders for which consent is required) is amended as follows.
- (5) In sub-paragraph (1) after “authorities” insert “ in England and Wales ”.
- (6) After paragraph 15 insert—
- “15A(1) The Scottish Ministers may by order add to or remove from the orders for which their consent is required by paragraph 13 such orders made by such traffic authorities in Scotland as the Scottish Ministers may specify in the order.
- (2) An order under this paragraph may provide for the consent of the Scottish Ministers to be required (or not to be required) for an order for such purposes or in such circumstances as the Scottish Ministers may see fit to specify in the order under this paragraph.
- (3) An order under this paragraph removing an order from the orders for which the consent of the Scottish Ministers is for the time being required is subject to the affirmative procedure.
- (4) Any other order under this paragraph is subject to the negative procedure.”
- (7) Paragraph 16 (consent to order with modifications) is amended as follows.
- (8) In sub-paragraph (1)—

Changes to legislation: Scotland Act 2016, Paragraph 15 is up to date with all changes known to be in force on or before 14 August 2023. 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. (See end of Document for details) View outstanding changes

- (a) for “to him for his” substitute “ for ”,
- (b) after “Secretary of State” insert “ or the Scottish Ministers ”,
- (c) omit “to him”, in the second place, and
- (d) for “thinks” substitute “ or they think ”.

(9) In sub-paragraph (2)—

- (a) for “Where” substitute “ Sub-paragraph (3) applies where ”,
- (b) for “proposes” substitute “ or the Scottish Ministers propose ”,
- (c) after “him”, in the first place, insert “ or them ”,
- (d) omit “to him”, in the second place,
- (e) for “he” substitute—

“(3) The Secretary of State or the Scottish Ministers”, and

- (f) after “him”, in the third place, insert “ or them ”.

(10) Paragraph 17 (general consent) is amended as follows.

(11) In sub-paragraph (1)—

- (a) after “Secretary of State” insert “ or the Scottish Ministers ”, and
- (b) omit “his”.

(12) In sub-paragraph (2) after “order” insert “ of the Secretary of State ”.

(13) After sub-paragraph (2) insert—

“(3) Any order of the Scottish Ministers under this paragraph is subject to the negative procedure.”

(14) In paragraph 18 (orders to be by statutory instrument) after “power” insert “ of the Secretary of State ”.

Changes to legislation:

Scotland Act 2016, Paragraph 15 is up to date with all changes known to be in force on or before 14 August 2023. 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 :

- specified provision(s) amendment to earlier commencing S.I. 2017/455, reg. 3 by [S.I. 2019/1438 reg. 2](#)