

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Transport (Scotland) Act 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULE 2

(introduced by section 17)

SCOTTISH ROAD WORKS COMMISSIONER: FURTHER PROVISION

Staff

- 1 (1) The Commissioner may, with the consent of the Scottish Ministers as to numbers and terms and conditions, appoint staff.
- (2) The Commissioner may, with the approval of the Scottish Ministers, make arrangements for the payment of pensions, allowances or gratuities to, or in respect of, any person who has ceased to be a member of the staff of the Commissioner and may, in particular—
 - (a) make contributions or payments towards provision for such pensions, allowances or gratuities;
 - (b) establish and administer one or more pension schemes.
- (3) Section 16(4) of this Act applies to staff appointed under this paragraph as it applies to the Commissioner.

Commencement Information

11 [Sch. 2 para. 1](#) in force at 10.10.2005 by [S.S.I. 2005/454](#), art. 2, [Sch. 2](#)

Accounts

- 2 The Commissioner shall—
 - (a) prepare, for each financial year and in accordance with directions given by the Scottish Ministers, an account of the Commissioner's income and expenditure; and
 - (b) send the account, by such time as the Scottish Ministers may direct, to the Auditor General for Scotland for auditing.

Commencement Information

12 [Sch. 2 para. 2](#) in force at 10.10.2005 by [S.S.I. 2005/454](#), art. 2, [Sch. 2](#)

Reports and information

- 3 The Commissioner shall—
 - (a) as soon as practicable after the end of each financial year, give the Scottish Ministers and publish a report on the performance of the Commissioner's functions during that year;
 - (b) provide the Scottish Ministers with such information about the performance of those functions as they may require.

Commencement Information

13 [Sch. 2 para. 3](#) in force at 10.10.2005 by [S.S.I. 2005/454](#), art. 2, [Sch. 2](#)

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Freedom of information

- 4 In schedule 1 to the Freedom of Information (Scotland) Act 2002 (asp 13) (public authorities subject to duty to disclose information), after the entry numbered 97 there is inserted the following entry—

“97A The Scottish Road Works Commissioner.”.

Commencement Information

I4 [Sch. 2 para. 4](#) in force at 10.10.2005 by [S.S.I. 2005/454](#), art. 2, [Sch. 2](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18A-18F inserted by [2019 asp 17 s. 110\(2\)](#)
- sch. 2 para. 3(2)(3) inserted by [2019 asp 17 s. 110\(4\)\(b\)](#)
- sch. 2 para. 3(1) sch. 2 para. 3 renumbered as sch. 3 para. 3(1) by [2019 asp 17 s. 110\(4\)\(a\)](#)

Commencement Orders yet to be applied to the Transport (Scotland) Act 2005

Commencement Orders bringing provisions within this Act into force:

- [S.S.I. 2008/90 art. 2](#) amendment to earlier commencing SSI 2008/15 art. 3