



# Transport and Works (Scotland) Act 2007

## 2007 asp 8

### PART 1

#### ORDERS AUTHORISING WORKS ETC.

##### *Miscellaneous*

### 23 Interpretation

(1) In this Part, except where the context otherwise requires—

“carriageway” has the same meaning as in the Roads (Scotland) Act 1984 (c. 54),  
“guided transport” means transport by vehicles guided by means external to the vehicles (whether or not the vehicles are also capable of being operated in some other way),

“inland waterway” includes both natural and artificial waterways, and waterways within parts of the sea, but not any waterway managed or maintained by a person who is a harbour authority (within the meaning of the Harbours Act 1964 (c. 40)) in relation to the waterway,

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39),

“railway” means a system of transport employing parallel rails which—

- (a) provide support and guidance for vehicles carried on flanged wheels, and
- (b) form a track which either is of a gauge of at least 350 millimetres or crosses a carriageway (whether or not on the same level),

but does not include a tramway,

“road” means a road within the meaning of section 107 of the New Roads and Street Works Act 1991 (c. 22), together with land on the verge of a road or between two carriageways,

“tramway” means a system of transport used wholly or mainly for the carriage of passengers and employing parallel rails which—

- (a) provide support and guidance for vehicles carried on flanged wheels, and
- (b) are laid wholly or mainly along a road or in any other place to which the public has access (including a place to which the public has access only on making a payment),

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**Changes to legislation:** There are currently no known outstanding effects for the  
Transport and Works (Scotland) Act 2007, Section 23. (See end of Document for details)

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“trolley vehicle system” means a system of transport by vehicles constructed or adapted for use on roads without rails under electric power transmitted to them by overhead wires (whether or not there is in addition a source of power on board the vehicles),

“vehicle” includes mobile traction unit.

(2) References in this Part to rights over land include references to rights to do, or to place and maintain, anything in, on or under land or in the air-space above its surface.

**Modifications etc. (not altering text)**

**C1** S. 23 applied (23.2.2017) by [High Speed Rail \(London - West Midlands\) Act 2017 \(c. 7\), ss. 52\(2\)\(3\), 70\(1\)](#)

**Commencement Information**

**I1** S. 23 in force at 28.12.2007 by [S.S.I. 2007/516, art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Transport and Works (Scotland) Act 2007, Section 23.