
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes modifications to pre-commencement enactments, within the meaning of the Scotland Act 1998 (“the Act”), which appear to be necessary or expedient in consequence of the Act.

Article 2 provides for the modification of the enactments specified in the Schedule to the Order. Section 121A of the Road Traffic Regulation Act 1984 is amended to provide that, in Scotland, the traffic authority is the roads authority as defined in section 151(1) of the Roads (Scotland) Act 1984 (as amended by this Order). Paragraph (b) of the definition of “roads authority” in section 151(1) of the Roads (Scotland) Act 1984 is amended to reflect the new division of responsibility, as between the Secretary of State and the Scottish Ministers, for the exercise of functions in relation to trunk roads and certain other roads.

Article 3 contains a saving provision which ensures that, in interpreting enactments which have not been textually amended because reliance is placed on the general modifications in the Act no adverse implication can be drawn because of the presence in the Schedule of textual amendments to some enactments which replicate the effect of the general modifications.

This is the fourth Order making modifications in consequence of the Act. The other 3 are—

- (a) the Scotland Act 1998 (Consequential Modifications) (No. 1) Order 1999 (S.I. [1999/1042](#));
- (b) the Scotland Act 1998 (Consequential Modifications) (No. 2) Order 1999 (S.I. [1999/1820](#)); and
- (c) the Scotland Act 1998 (Consequential Modifications) Order 2000 (S.I. [2000/2040](#)).