

POLICY NOTE

THE TRANSPORT (SCOTLAND) ACT 2019 AMENDMENT REGULATIONS 2023

SSI 2023/XXX

The above instrument was made in exercise of the powers conferred by section 129 of the Transport (Scotland) Act 2019 (the Act). The instrument is subject to affirmative procedure.

Purpose of the instrument. The purpose of the instrument is to fix missed and incorrect cross-references in the Transport (Scotland) Act 2019, which came about because of stage 2 and stage 3 amendments made when the Bill was passing through Parliament. These corrections are needed so all provisions of the Act which refer to other provisions do this properly so the Act can be given full effect.

Policy Objectives

This instrument makes ancillary provision to correct technical errors in the Act, which arose due to amendments made to the Transport (Scotland) Bill (the Bill) during its Parliamentary passage.

The Act contains various cross-references, with one provision referring to another. During the Parliamentary passage of the Bill, numerous stage 2 and 3 amendments were made. As a result, it was necessary when the Act was passed to re-number many of the amended provisions and to amend cross-references to those provisions and in certain instances those updates were not completed. The corrections made by the instrument are therefore necessary to ensure that amendments that were made to the Bill by Parliament are properly integrated into the Act ensuring that the Act can be given full effect and the intention of the Scottish Parliament delivered.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

The instrument makes technical amendments to the Act to ensure that it can be given full effect and the intention of the Scottish Parliament delivered. Consultation on the policy to be achieved by the Act is not needed.

Impact Assessments

The Regulations correct drafting errors in the Act to ensure that the policy aims of the Act, reflecting the intention of Parliament, can be delivered. Impact assessments were conducted in relation to the Bill. Given the technical nature of the Regulations, no further impact assessments have been undertaken.

Financial Effects

The Minister for Transport confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government
Transport Scotland

September 2023