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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 33**

**ROADS AND BRIDGES**

**The Road Works (Reinstatement Quality Plans,  
Qualifications of Supervisors and Operatives and  
Miscellaneous Amendments) (Scotland) Regulations 2023**

<i>Made</i>	- - - -	<i>7th February 2023</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>9th February 2023</i>
<i>Coming into force</i>	- -	<i>1st April 2023</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 61B(9) of the Roads (Scotland) Act 1984(1) and sections 112B(1), (2A), (5A) and (6), 114A(2), 117(1), 126, 129(3), (4) and (5A), 130, 130C(2) and (3), 134 and 163(1) and (3) of the New Roads and Street Works Act 1991(2) and all other powers enabling them to do so.

In accordance with section 163A of the New Roads and Street Works Act 1991(3) they have consulted with such—

- (a) persons considered by them to be representative of the interests of undertakers,
  - (b) road works authorities, and
  - (c) other persons,
- as they think appropriate.

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(1) 1984 c. 54. Section 61B was inserted by section 116(1) of the Transport (Scotland) Act 2019 (asp 17) (“the 2019 Act”).

(2) 1991 c. 22. Sections 126 and 129(3) and (4) were amended by sections 26(2) to (5), 28 and 33(2) of the Transport (Scotland) Act 2005 (asp 12) (“the 2005 Act”). Sections 112B(1) and 129(5A) were inserted by sections 19(1) and 28 of the 2005 Act. Sections 112B(2A) and (5A), 114A(2) and 130C(2) and (3) were inserted by sections 117(2) and (3) and 118(2) of the 2019 Act. Sections 112B(6), 117(1) and 129(3) and (4) were amended by section 117(2) and (4) and para. 6(3) of schedule 1 of the 2019 Act. Section 163(1) includes a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State under section 163(1) were transferred to the Scottish Ministers, so far as within devolved competence, by virtue of section 53 of the Scotland Act 1998 (c. 46).

(3) Section 163A was inserted by section 39 of the 2005 Act.