



Roads (Scotland) Act 1984

1984 CHAPTER 54

PART IV

IMPROVEMENTS AND MAINTENANCE

[^{F1}Equipment for detection of traffic offences]

50 Planting of trees, shrubs and grass or other plants by roads authority.

- (1) The roads authority may plant trees, shrubs, grass or other plants within, or partly within, the boundaries of a public road or of a proposed public road which is in course of construction; and may erect and maintain guards of fences, and otherwise do anything expedient, for maintenance and protection of trees, shrubs, grass and other plants there planted (whether or not by them).
- (2) No such tree, shrub, grass other plant, guard or fence shall be planted (or as the case may be erected) or allowed to remain in such a situation as to hinder the reasonable use of the road (or proposed road) by persons entitled to the use thereof, or so as to be a nuisance or injurious to the owner or occupier of any land fronting or abutting the road (or proposed road).
- (3) [^{F1}Part 10 of Schedule 3A to the Communications Act 2003 (the electronic communications code)] (which provides a procedure for certain cases where works involve the alteration of [^{F2}electronic communications apparatus]) shall, subject to subsection (4) below, apply, for the purposes of any works which may be done in exercise of the powers conferred by this section, to the roads authority.
- (4) Where the roads authority is the Secretary of State, [^{F3}Paragraph 68] of the [^{F4}the electronic communications code] (offence) shall be omitted for the purposes of the application of [^{F5}Part 10 of the code] to him by subsection (3) above.

Changes to legislation: Roads (Scotland) Act 1984, Section 50 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** Words in s. 50(3) substituted (28.12.2017) by [Digital Economy Act 2017 \(c. 30\), s. 118\(6\), Sch. 3 para. 14\(2\)](#); [S.I. 2017/1286, reg. 2\(d\)](#)
- F2** Words in s. 50 substituted (17.9.2003) by [The Communications Act 2003 \(Consequential Amendments\) Order 2003 \(S.I. 2003/2155\), art. 1\(1\), Sch. 1 para. 10\(1\)\(a\)\(2\)\(b\)](#)
- F3** Words in s. 50(4) substituted (28.12.2017) by [Digital Economy Act 2017 \(c. 30\), s. 118\(6\), Sch. 3 para. 14\(3\)\(a\)](#); [S.I. 2017/1286, reg. 2\(d\)](#)
- F4** Words in s. 50 substituted (17.9.2003) by [The Communications Act 2003 \(Consequential Amendments\) Order 2003 \(S.I. 2003/2155\), art. 1\(1\), Sch. 1 para. 10\(1\)\(a\)\(2\)\(a\)](#)
- F5** Words in s. 50(4) substituted (28.12.2017) by [Digital Economy Act 2017 \(c. 30\), s. 118\(6\), Sch. 3 para. 14\(3\)\(b\)](#); [S.I. 2017/1286, reg. 2\(d\)](#)

Modifications etc. (not altering text)

- C1** S. 50: power to contract out functions of Secretary of State (16.3.1996) by [S.I. 1996/878, art. 2, Sch. para. 5\(j\)](#)

Changes to legislation:

Roads (Scotland) Act 1984, Section 50 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 50 word substituted by [S.I. 2003/2155 Sch. 1 para. 10\(1\)\(a\)](#)[para. 10\(2\)\(d\)](#)
- s. 50 words substituted by [S.I. 2003/2155 Sch. 1 para. 10\(1\)\(a\)](#)[para. 10\(2\)\(c\)](#)

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. 152(3)(3ZA) substituted for s. 152(3) by [2019 asp 17 s. 124\(2\)](#)