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STATUTORY INSTRUMENTS

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**1992 No. 1671 (C.56) (S.158)**

**ROADS AND BRIDGES, SCOTLAND**

The New Roads and Street Works Act 1991  
(Commencement No. 4) (Scotland) Order 1992

Made - - - - 13th July 1992

The Secretary of State, in exercise of the powers conferred on him by section 170(1) of the New Roads and Street Works Act 1991<sup>(1)</sup>, and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the New Roads and Street Works Act 1991 (Commencement No. 4) (Scotland) Order 1992.

(2) In this Order—

“the Act” means the New Roads and Street Works Act 1991.

**Commencement of certain provisions of the Act**

2. The provisions of the Act specified in the first column of the Schedule to this Order (which relate to the matters specified in the second column thereof) shall come into force on 14th July 1992.

St Andrew's House,  
Edinburgh  
13th July 1992

*James Douglas-Hamilton*  
Parliamentary Under Secretary of State, Scottish  
Office

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## SCHEDULE

Article 2

## PROVISIONS OF THE ACT WHICH COME INTO FORCE ON 14TH JULY 1992

Provision of the Act	Subject Matter
Section 107	Roads, road works and undertakers.
Section 108	The road works authority and other relevant authorities.
Section 111	Emergency works.
In section 112, subsections (4), (5) and (6)	Arrangements and Regulations by the Secretary of State for the road works register.
Section 113	Advance notice of certain works.
Section 115	Power to give directions as to timing of works.
In section 118, subsection (3)	Duty of Secretary of State to issue or approve codes of practice relating to duty of road works authorities to co-ordinate works.
In section 119, subsection (2)	Duty of Secretary of State to issue or approve codes of practice relating to duty of undertakers to co-operate.
Section 121	Supplementary provisions as to designation of protected roads.
Section 122	Roads with special engineering difficulties.
Section 123	Traffic-sensitive roads.
In section 124, subsection (3)	Duty of Secretary of State to issue or approve codes of practice relating to safety measures.
Section 126	Qualifications of supervisors and operatives.
In section 129, subsection (4)	Power of Secretary of State to prescribe longer periods than that set out in the subsection for permanent reinstatement following interim reinstatement.
Section 130	Materials, workmanship and standard of reinstatement.
Sections 134	Inspection fees.
In section 140, subsections (3) and (4)	Power of Secretary of State to make Regulations concerning inspection and maintenance of apparatus.
In section 143, subsection (2)	Power of Secretary of State to issue or approve codes of practice relating to measures necessary where apparatus affected by major works.
Section 144	Sharing of cost of necessary measures.
Section 145	Roads authorities, roads and related matters.
Section 146	Prospective public roads.

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Provision of the Act	Subject Matter
Section 156	Service of notices and other documents.
Section 157	Reckoning of periods.
Section 158	Arbitration.
Section 163	Meaning of “prescribed” and regulations generally.
Section 164	Minor definitions.
Section 165	Index of defined expressions.
In section 167, subsections (4) and (5) in so far as these subsections relate to the provisions of Part IV of the Act.	Crown application.
In section 169, subsection (2)	Extent of the Act.
Schedule 6	Roads with special engineering difficulties.

### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 14th July 1992 various provisions of Part IV (Road Works in Scotland) and Part V (General) of, and Schedule 6 to, the New Roads and Street Works Act 1991 all as set out in the Schedule to this Order.

### NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the New Roads and Street Works Act 1991 have been brought into force by Commencement Orders made before the date of this Order.

Provision	Date of commencement	S.I. No.
Part II (except sections 43 and 44)	21st October 1991	<a href="#">1991/2286</a>
Section 166 (partially) (Scotland)		
Section 167 (partially) (Scotland)		
Section 168 (partially) (Scotland)		
Schedule 8 (partially) (Scotland)		

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Provision	Date of commencement	S.I. No.
Schedule 9 (partially) (Scotland)		
Sections 43 and 44	1st November 1991	<a href="#">1991/2286</a>
Section 168 (partially) (Scotland)		
Schedule 8 (partially) (Scotland)		
Schedule 9 (partially) (Scotland)		
Part I	1st November 1991	<a href="#">1991/2288</a>
Section 166(1) (England and Wales)		
Section 167(1), (2), (3) and (6)		
Section 168 partially		
Section 169(1), 170 and 171		
Schedule 8, Part II (England and Wales)		
Schedule 8, Part IV (partially)		
Schedule 9 (partially) (England and Wales)		
Section 48	14th July 1992	<a href="#">1992/[1686]</a>
Section 49		
Section 52		
Section 53(4), (5) and (6)		
Section 54		
Section 56		
Section 59(3)		
Section 62(2)		
Section 62		
Section 63		
Section 64		
Section 65(3)		
Section 67		
Section 70(4)		
Section 71		
Section 75		
Section 81 (3) and (4)		

Provision	Date of commencement	S.I. No.
Section 84(2)		
Section 85		
Section 86		
Section 87		
Section 97		
Section 98		
Section 99		
Section 104		
Section 105		
Section 106		
Section 167(4) and (5) in so far as these subsections relate to England and Wales		
Schedule 4		