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STATUTORY INSTRUMENTS

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**1996 No. 3199 (S.240)**

**ROADS AND BRIDGES, SCOTLAND**

**The Road Works (Permission under  
Section 109) (Scotland) Regulations 1996**

<i>Made</i>	- - - -	<i>13th December 1996</i>
<i>Laid before Parliament</i>		<i>19th December 1996</i>
<i>Coming into force</i>	- -	<i>13th January 1997</i>

The Secretary of State, in exercise of the powers conferred on him by sections 109(4) and 163(1) of the New Roads and Street Works Act 1991(1), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Road Works (Permission under Section 109) (Scotland) Regulations 1996 and shall come into force on 13th January 1997.

**Persons to whom section 109 applies**

2.—(1) A road works authority may grant permission under section 109 of the New Roads and Street Works Act 1991(2) to persons carrying out works of any class except works of the class described in paragraph (2) below.

(2) The class of works referred to in paragraph (1) above is that of inspecting and maintaining fire hydrants in roads.

St Andrew's House,  
Edinburgh  
13th December 1996

*James Douglas-Hamilton*  
Minister of State, Scottish Office

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(1) 1991 c. 22; section 163(1) contains a definition of "prescribed" relevant to the exercise of the statutory powers under which these Regulations are made.  
(2) Section 109 was amended by the Local Government etc. (Scotland) Act 1994 (c. 39), Schedule 13, paragraph 168(3).

**Status:** This is the original version (as it was originally made).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

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## **EXPLANATORY NOTE**

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

Section 109 of the New Roads and Street Works Act 1991 empowers a road works authority to grant permission to persons to carry out certain road works. Such permission may only be granted to persons as prescribed by regulations under section 109(4).

These Regulations prescribe that permission may be granted under section 109 to any person carrying out any class of works except works of inspection and maintenance of fire hydrants in roads.