

2011 No. 98

ROADS AND BRIDGES

**The Roads (Scotland) Act 1984 (Fixed Penalty) Amendment
Regulations 2011**

Made - - - - - *10th February 2011*

Laid before the Scottish Parliament *14th February 2011*

Coming into force - - - *1st April 2011*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by paragraph 2 of Schedule 8B to the Roads (Scotland) Act 1984(a) and all other powers enabling them to do so.

In accordance with section 163A of the New Roads and Street Works Act 1991(b) 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.

Citation and commencement

1. These Regulations may be cited as the Roads (Scotland) Act 1984 (Fixed Penalty) Amendment Regulations 2011 and come into force on 1st April 2011.

(a) 1984 c.54. Schedule 8B was inserted by the Transport (Scotland) Act 2005 (asp 12) (“the 2005 Act”), section 37 and Schedule 7.

(b) 1991 c.22. Section 163A was inserted by section 39 of the 2005 Act. See section 163(1) of that Act for a definition of “prescribed”. The functions of the Secretary of State, so far as they were exercisable within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

Amendment of the Roads (Scotland) Act 1984 (Fixed Penalty) Regulations 2008

2. In regulation 5 (time limit for giving fixed penalty notice) of the Roads (Scotland) Act 1984 (Fixed Penalty) Regulations 2008(a) for “60” substitute “91”.

KEITH BROWN

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
10th February 2011

(a) S.S.I. 2008/243.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for an increase in the time period for giving a fixed penalty notice from 60 days to 91 days under regulation 5 of the Roads (Scotland) Act 1984 (Fixed Penalty) Regulations 2008.

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