

**2019 No. 159**

**ROADS AND BRIDGES**

**The Road Works (Qualifications of Operatives and Supervisors)  
(Scotland) Amendment Regulations 2019**

*Made* - - - - *30th April 2019*

*Laid before the Scottish Parliament* *2nd May 2019*

*Coming into force* - - *11th June 2019*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 126 and 163(1) of the New Roads and Street Works Act 1991(a) and all other powers enabling them to do so.

In accordance with section 163A(b) of that Act 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 Road Works (Qualifications of Operatives and Supervisors) (Scotland) Amendment Regulations 2019 and come into force on 11 June 2019.

**Amendment of the Road Works (Qualifications of Operatives and Supervisors) (Scotland) Regulations 2017**

2.—(1) The Road Works (Qualifications of Operatives and Supervisors) (Scotland) Regulations 2017(c) are amended in accordance with paragraph (2).

(2) In regulation 8(1) (qualification registration)—

- (a) in sub-paragraph (b) omit the second “and”, and

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(a) 1991 c.22. Section 126 of the New Roads and Street Works Act 1991 was amended by section 26(2) to (5) and section 33(2) of the Transport (Scotland) Act 2005 (asp 12) (“the 2005 Act”). The functions of the Secretary of State under sections 126 and 163 were, insofar as exercisable within devolved competence, transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

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

(c) S.S.I. 2017/147.

- (b) at the end of sub-paragraph (c) insert—  
“; and  
(d) Lantra<sup>(a)</sup>”.

St Andrew's House,  
Edinburgh  
30th April 2019

*MICHAEL MATHESON*  
A member of the Scottish Government

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(a) Lantra is a company limited by guarantee and registered in England and Wales under company number 02823181, a charity registered in England and Wales under charity number 1022991 and a charity registered in Scotland under charity number SC039039.

## **EXPLANATORY NOTE**

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

These Regulations amend the Road Works (Qualifications of Operatives and Supervisors) (Scotland) Regulations 2017 (“the 2017 Regulations”). The 2017 Regulations prescribe the qualifications required of supervisors and trained operatives executing certain types of road works.

A person has a prescribed qualification for a type of work listed in schedules 1 or 2 of the 2017 Regulations if the person is qualified in that type of work and the additional types of work specified in regulation 3(1)(b) (for trained operatives) or regulation 3(2)(b) (for supervisors). A person is qualified in a type of work if an approved body has issued a certificate of competence showing that the person has been assessed as having the required level of competence in that type of work (regulation 3(3)(a)). Regulation 8(1) sets out the approved bodies for the purposes of issuing certificates of competence.

Regulation 2 of these Regulations amends the 2017 Regulations to add an approved body (Lantra) to the list set out at regulation 8(1) of the 2017 Regulations.

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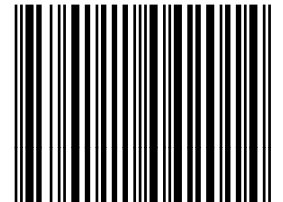
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