

*Status: Point in time view as at 31/01/2017.*

*Changes to legislation: There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Part IV. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 9

#### SPECIAL PROVISIONS AS TO CERTAIN ORDERS

##### Modifications etc. (not altering text)

- C1** Sch. 9: transfer of functions (23.3.2005) by [The Scotland Act 1998 \(Transfer of Functions to the Scottish Ministers etc.\) Order 2005 \(S.I. 2005/849\)](#), art. 2, **Sch.** (with art. 6)

#### PART IV

#### VARIATION OR REVOCATION OF CERTAIN ORDERS

##### Modifications etc. (not altering text)

- C2** Pt. IV (paras. 27–29) applied by [Road Traffic Act 1988 \(c. 52, SIF 107:1\)](#), s. 19A(7) (as inserted by [Road Traffic \(Consequential Provisions\) Act 1988 \(c. 54, SIF 107:1\)](#), s. 4, **Sch. 2 para. 22(1)**)
- C3** Sch. 9 Pt. IV applied (with modifications)(6.3.1992) by [Aberdeen Harbour Order Confirmation Act 1992 \(c. ii\)](#), s. 1, **Sch. s. 3(2)**.

- 27 (1) Subject to [<sup>F1</sup>sub-paragraphs (2) and (3)] below, any power to make an order as respects any road or parking place conferred by or by virtue of any of the following provisions of this Act, namely, sections 1, 6, 9, [<sup>F2</sup>14][<sup>F3</sup>16A]19, 29, <sup>F4</sup>. . . 32, 35, 37, 38, 45, 46, 49(2) and (4), 50, 53, 83 and 84 and paragraph 7 of this Schedule, shall include power for the authority for the time being having power to make such an order as respects that road or parking place to make an order varying or revoking any previous order as respects that road or parking place made, or having effect as if made, under or by virtue of the provision in question, whether the previous order was made by that or some other authority, and notwithstanding that the previous order was, and the order varying or revoking it is not, made in pursuance of a power exercisable by statutory instrument.
- (2) Sub-paragraph (1) above shall have effect—
- (a) subject to sections 39(6), <sup>F5</sup>. . . and 59(6) of this Act, and
- (b) without prejudice to section 50(6) of this Act.
- [<sup>F6</sup>3) Where an order is required for the provision of facilities pursuant to a quality partnership scheme made under Part II of the Transport Act 2000 by more than one authority—
- (a) it may not be varied or revoked by virtue of this paragraph by the Secretary of State or the National Assembly for Wales unless he or it has consulted the other authority or authorities who made the scheme, and

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- (b) it may not be varied or revoked by virtue of this paragraph by any other authority without the consent of that other authority or those other authorities.]

28 For the avoidance of doubt it is hereby declared that, subject to Part II of this Schedule, the power to vary or revoke an order made under or by virtue of any of the provisions referred to in paragraph 27(1) above extends to the variation or revocation of any such order in connection with the provision in question as is mentioned below, notwithstanding that it was made by, or by direction of, the Secretary of State [<sup>F7</sup>or the Scottish Ministers] , that is to say—

- (a) an order made in pursuance of a direction under paragraph 2 of this Schedule;
- (b) except where the provision in question is section 45, 46, 49, 50 or 53 of this Act, an order made by virtue of paragraph 3 of this Schedule;
- (c) where the provision in question is section 45, 46, 49 <sup>F8</sup> . . . or 53 of this Act an order which is made by virtue of paragraph 3 of this Schedule and relates to a parking place for the time being controlled by the local authority within the meaning of section 45 of this Act <sup>F8</sup> . . . ; <sup>F9</sup> . . .
- (d) an order under paragraph 7 of this Schedule [or].
- <sup>F10</sup>[(e) an order under section 34 of the Deregulation and Contracting Out Act 1994.]

#### Textual Amendments

- F7** Words in Sch. 9 para. 28 inserted (23.5.2016) by [Scotland Act 2016 \(c. 11\), s. 72\(7\), Sch. 2 para. 17\(2\)](#)
- F8** “, 50” repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\), ss. 1, 102\(2\)\(3\), Sch. 17](#)
- F9** Word in Sch. 9 para. 28(c) repealed (3.11.1994) by [1994 c. 40, ss. 81, 82\(3\), Sch. 17](#)
- F10** Sch. 9 para. 28(e) and word “or” immediately preceding it inserted (3.11.1994) by [1994 c. 40, ss. 39, 82\(3\), Sch. 11 para. 5](#)

29 Nothing in paragraph 8 of this Schedule shall prevent the exercise by the [<sup>F11</sup>national authority] of the power to revoke any order made <sup>F12</sup>... under paragraph 7 of this Schedule.

#### Textual Amendments

- F11** Words in Sch. 9 para. 29 substituted (23.5.2016) by [Scotland Act 2016 \(c. 11\), s. 72\(7\), Sch. 2 para. 17\(3\)\(a\)](#)
- F12** Words in Sch. 9 para. 29 omitted (23.5.2016) by virtue of [Scotland Act 2016 \(c. 11\), s. 72\(7\), Sch. 2 para. 17\(3\)\(b\)](#)

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