



# Roads (Scotland) Act 1984

## 1984 CHAPTER 54

### PART XIII

#### GENERAL

##### *Regulations, orders and schemes*

#### **143 Regulations, orders and schemes**

- (1) Where a power to make regulations or orders, or to make or confirm schemes, is exercisable by the Secretary of State by virtue of this Act, the exercise of that power shall be by statutory instrument under this subsection, and may—
- (a) make different provision in relation to different cases or classes of case ;
  - (b) exclude certain cases or classes of case.
- (2) A statutory instrument—
- (a) made under subsection (1) above and containing—
    - (i) regulations other than such regulations as are mentioned in paragraph (b)d) below; or
    - (ii) an order under section 154 of this Act, shall be subject to annulment in pursuance of a resolution of either House of Parliament;and
  - (b) containing—
    - (i) regulations under section 17 of this Act; or
    - (ii) an order under section 8 or 153 of this Act,shall not be made under subsection (1) above unless a draft of the instrument has been laid before Parliament and has been approved by resolution of each House of Parliament.

#### **144 Regulations for procedure in schemes and orders for special roads and trunk roads**

- (1) Subject to section 143 of, and Schedules 1 and 2 to, this Act, the Secretary of State may make regulations prescribing the procedure to be followed in connection with the making and confirmation of schemes under section 7 and orders under sections 5, 9 and 12 of this Act.
- (2) Without prejudice to the generality of subsection (1) above, regulations under this section may provide for securing that the centre-line of—
  - (a) a special road authorised by a scheme under section 7 of this Act,
  - (b) a road directed by order to become a trunk road under section 5 of this Act, or
  - (c) a road affected by an order under section 9 or 12 of this Act,shall be indicated on a map on such scale as may be prescribed by the regulations.
- (3) The centre-line of any road referred to in subsection (2) above as constructed may deviate from the centre-line as indicated on the map referred to in that subsection within such limits of deviation, not exceeding 50 metres, as may be specified in the scheme or order.

#### **145 Revocation and variation of certain schemes and orders**

- (1) A scheme or order made by a roads authority under this Act or confirmed by the Secretary of State under section 5, 7, 9, 12 or 75(3) of this Act may, subject to subsection (5) below and to subsection (7)(i) of the said section 5, be revoked or varied by a subsequent scheme or order so made or confirmed ; and subject to the provisions of this section any such revoking or varying scheme or order may make such consequential provision as appears to the Secretary of State to be expedient.
- (2) Where a scheme under section 7 of this Act is revoked by a subsequent scheme, any part of the special road authorised by the scheme, being a part constructed before the date on which the revoking scheme comes into operation, and any road appropriated by or transferred to the special road authority before that date, shall cease on that date to be a special road within the meaning of this Act, but shall, where the special road is a trunk road, continue to be a trunk road.
- (3) Where a scheme under section 7 of this Act is varied by a subsequent scheme, subsection (2) above shall apply in relation to any part of the special road which ceases to form part of the route of that road in consequence of the variation.
- (4) Subject to the foregoing provisions of this section, the revocation or variation of a scheme under section 7 or 75(3) of this Act shall not affect the validity of anything done in pursuance of the scheme before the date on which the revoking or varying scheme comes into force, or the validity of any order under section 9 of this Act before that date in connection with the special road to be provided under the scheme.
- (5) Where—
  - (a) a scheme under section 7 or 73(3) of this Act; or
  - (b) an order under section 9 or 12 of this Act in relation to—
    - (i) a special road ; or
    - (ii) a main road (within the meaning of the said section 12),  
which has not been opened for the purposes of through traffic,

---

*Status: This is the original version (as it was originally enacted).*

---

is revoked at any time before the special road, main road, bridge or tunnel is opened for the purposes of through traffic, Schedules 1 and 2 to this Act shall have no effect as regards the revocation but, within 28 days of the revocation, notice of it shall be published by the Secretary of State in the Edinburgh Gazette and in such other manner as he thinks best adapted for informing persons affected.