

SCHEDULE 2

TRANSITIONAL PROVISIONS

3.—(1) Where following a request made under Regulation 13(1) of the 1973 Regulations a review under Regulation 13(3) of those Regulations, whether carried out before or after the commencement date, does not show that a duty under Regulation 3 of those Regulations has arisen with respect to a building, and the relevant date is less than twelve months before the commencement date, the appropriate highway authority shall also carry out a review in accordance with Regulation 13(4) of these Regulations and if the latter review shows that but for the provisions of paragraphs 2(1)(a) of this Schedule a duty under Regulation 3 of these Regulations would have arisen with respect to the building, they shall comply with the request as if it had been a request under Regulation 13(1) of these Regulations.

(2) Where following a request under Regulation 13(1) of these Regulations a review under Regulation 13(4) does not show that a duty under Regulation 3 has arisen with respect to a building, and the relevant date is before the commencement date, the appropriate highway authority shall also carry out a review in accordance with Regulation 13(3) of the 1973 Regulations and if the latter review shows that but for the provisions of Regulation 1(2) of these Regulations there would be a duty under Regulation 3 of those Regulations with respect to the building, they shall comply with the request.