Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

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.