

**2012 No. 286**

**ROADS AND BRIDGES**

**The Road Works (Maintenance) (Scotland) Amendment  
Regulations 2012**

*Made* - - - - - *24th October 2012*  
*Laid before the Scottish Parliament* *29th October 2012*  
*Coming into force* - - - *30th November 2012*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 140(4) of the New Roads and Street Works Act 1991(a) and all other powers enabling them to do so.

In accordance with section 163A of that Act(b) 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 (Maintenance) (Scotland) Amendment Regulations 2012 and come into force on 30th November 2012.

**Amendment of the Road Works (Maintenance) (Scotland) Regulations 1992**

2. In regulation 4 of the Road Works (Maintenance) (Scotland) Regulations 1992(c) omit “in accordance with regulation 3 above”.

*KEITH BROWN*

Authorised to sign by the Scottish Ministers

St Andrew’s House,  
Edinburgh  
24th October 2012

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(a) 1991 c.22; see section 163(1) of that Act for the definition of “prescribed”. The functions of the Secretary of State, so far as they are exercisable within devolved competence, were 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 Transport (Scotland) Act 2005 (asp 12).  
(c) S.I. 1992/1673.

## EXPLANATORY NOTE

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

These Regulations make an amendment to regulation 4 of the Road Works (Maintenance) (Scotland) Regulations 1992 to clarify that regulation 4 may apply following any inspection by a road works authority rather than only following an inspection under regulation 3 of those Regulations.

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£4.00

S5684 10/2012 325684T 19585

ISBN 978-0-11-101822-4



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