SCOTTISH STATUTORY INSTRUMENTS

# 2021 No. 431

# ROADS AND BRIDGES

## The Scottish Road Works Commissioner (Imposition of Penalties) Amendment Regulations 2021

| | |
|---|---|
| *Made - - - -* | *23rd November 2021* |
| *Laid before the Scottish Parliament* | *25th November 2021* |
| *Coming into force - -* | *1st February 2022* |

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 119A 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 Scottish Road Works Commissioner (Imposition of Penalties) Amendment Regulations 2021 and come into force on 1 February 2022.

**Amendment of the Scottish Road Works Commissioner (Imposition of Penalties) Regulations 2007**

**2.** The Scottish Road Works Commissioner (Imposition of Penalties) Regulations 2007(**c**) are amended as follows—

(a) in regulation 4(2) (level of penalties), for "£50,000" substitute "£100,000",

(b) in regulation 8(4)(c) (appeals), for "£50,000" substitute "£100,000".

*GRAEME DEY*
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
23rd November 2021

(**a**) 1991 c. 22. Section 119A was inserted by section 25 of the Transport (Scotland) Act 2005 asp 12 ("the 2005 Act").
(**b**) Section 163A was inserted by section 39 of the 2005 Act.
(**c**) S.S.I. 2007/411.

## EXPLANATORY NOTE

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

These Regulations amend the Scottish Road Works Commissioner (Imposition of Penalties) Regulations 2007 ("the 2007 Regulations").

Regulation 2(a) amends regulation 4(2) of the 2007 Regulations by increasing the maximum penalty which can be imposed by the Scottish Road Works Commissioner for failure to comply with the duties mentioned in regulation 3. The maximum penalty is increased from £50,000 to £100,000.

Regulation 2(b) amends regulation 8(4)(c) of the 2007 Regulations by increasing the maximum penalty which can be imposed by a sheriff when disposing of an appeal against a penalty imposed by the Scottish Road Works Commissioner from £50,000 to £100,000.

---

© Crown copyright 2021

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, the Queen's Printer for Scotland.

£4.90

http://www.legislation.gov.uk/id/ssi/2021/431

ISBN 978-0-11-105224-2

9 780111 052242