
STATUTORY INSTRUMENTS

2013 No. 2408 (C. 97)

HIGHWAYS, ENGLAND

The Traffic Management Act 2004
(Commencement No. 7) (England) Order 2013

Made - - - - 19th September 2013

The Secretary of State for Transport makes the following Order in exercise of powers conferred by section 99 of the Traffic Management Act 2004⁽¹⁾.

Citation

1. This Order may be cited as the Traffic Management Act 2004 (Commencement No. 7) (England) Order 2013.

Commencement of provision

2. Section 71 (Guidance to local highway authorities as to safety precautions) of the Traffic Management Act 2004 comes into force as respects England on 1st October 2013.

Signed by authority of the Secretary of State for Transport

19th September 2013

Norman Baker
Parliamentary Under Secretary of State
Department for Transport

⁽¹⁾ 2004 c.18.

Status: This is the original version (as it was originally made). UK
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EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force, as respects England, a provision of Part 5 (Highways and Roads) of the Traffic Management Act 2004 (the “2004 Act”).

Article 2 brings section 71 of the 2004 Act into force on 1st October 2013. Section 71 inserts new subsections (1A), (1B) and (1C) into section 174 (precautions to be taken by persons executing works in streets) of the Highways Act 1980. This provides for the Secretary of State to issue guidance to local highway authorities as to the discharge by them of their obligation to carry out safely the signing, lighting and guarding of works when they are executing works for road purposes. A local highway authority must have regard to the guidance in executing those works.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force in England by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1 to 12.	4th October 2004	2004/2380
Section 13, except subsection (2) of the inserted section 245A of the Highways Act 1980 ⁽²⁾ .	4th October 2004	2004/2380
Sections 14 and 15.	4th October 2004	2004/2380
Sections 16 to 31.	4th January 2005	2004/3110
Section 32.	1st December 2007	2007/3184
Section 33 to 36.	1st April 2008	2007/3184
Section 37.	1st December 2007	2007/3184
Section 38.	1st April 2008	2007/3184
Section 39.	1st December 2007	2007/3184
Section 40(1) and (2) (and accordingly Schedule 1).	4th October 2004	2004/2380
Section 40(3), except the words “or 4A” in the substituted paragraph (a) of section 70(6) of the New Roads and Street Works Act 1991(duty of undertaker to reinstate) ⁽³⁾ .	4th October 2004	2004/2380
Section 40(3), for the purpose of inserting the words “or (4A)” into the substituted	1st April 2008	2007/1890

(2) [1980 c.66.](#)

(3) [1991 c.22.](#)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
paragraph (a) of section 70(6) of the New Roads and Street Works Act 1991.		
Section 40(4) and (5).	4th October 2004	2004/2380
Section 41(1) and (3) (and accordingly Schedule 3) for certain purposes	29th June 2007	2007/1890
Section 41(1), (2) and (3) (and accordingly Schedules 2 and 3) for all other purposes.	12th May 2008	2007/1890
Section 42.	29th June 2007	2007/1890
Section 43(1), (2) and (4).	4th January 2005	2004/3110
Section 43(3).	1st April 2008	2007/1890
Section 44 for certain purposes.	29th June 2007	2007/1890
Section 44 for all other purposes.	1st April 2008	2007/1890
Section 49 for certain purposes.	29th June 2007	2007/1890
Section 49 for all other purposes.	1st April 2008	2007/1890
Section 51(1), (2), (3), (5), (7), (8), and (9) for certain purposes.	29th June 2007	2007/1890
Section 51(1), (2), (3), (5), (7), (8), and (9) for all other purposes.	1st April 2008	2007/1890
Section 51(4).	29th June 2007	2007/1890
Section 51(6).	1st April 2008	2007/1890
Section 52(1), (2), (4), and (5) (and accordingly Schedule 4) for certain purposes.	29th June 2007	2007/1890
Section 52(1), (2), (4), and (5) (and accordingly Schedule 4) for all other purposes.	1st April 2008	2007/1890
Section 52(3), (6) and (7).	1st April 2008	2007/1890
Section 54 for certain purposes.	29th June 2007	2007/1890
Section 54 for all other purposes.	1st April 2008	2007/1890
Sections 60 to 63.	4th October 2004	2004/2380
Section 72	23rd July 2007	2007/2053
Section 73 and accordingly Schedule 7	23rd July 2007	2007/2053
Section 74 so far as it relates to Schedule 8, paragraphs 1 to 3 and 8.	31st March 2008	2007/2053
Section 75.	31st March 2008	2007/2053
Section 76.	23rd July 2007	2007/2053
Section 77 and accordingly Schedule 9.	23rd July 2007	2007/2053
Sections 78 to 83.	23rd July 2007	2007/2053

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 84 (and accordingly Schedule 10), 85 and 86	31st March 2008	2007/2053
Sections 87 to 90	23rd July 2007	2007/2053
Section 91 so far as it relates to Schedule 11, paragraph 3 to the extent that it inserts section 101B into the Road Traffic Regulation Act 1984(4)	23rd July 2007	2007/2053
Section 91 so far as it relates to Schedule 11, paragraphs 1, 2, 3 (except so far as it has not already been brought into force) 4, 5, 6, and 7.	31st March 2008	2007/2053
Sections 92 and 93	23rd July 2007	2007/2053
Section 94.	29th September 2006	2006/1736
Section 95.	4th October 2004	2004/2380
Section 96	29th June 2007	2007/1890
Section 97.	4th October 2004	2004/2380
Section 98 so far as it relates to Part 2 of Schedule 12 (and accordingly Part 2 of Schedule 12).	4th October 2004	2004/2380
Section 98 so far as it relates to the repeals of certain enactments specified in Part 1 of Schedule 12.	31st March 2008	2007/2053
In Schedule 8, paragraphs 1 to 3 and 8.	31st March 2008	2007/2053
In Schedule 11, paragraph 3 to the extent that it inserts section 101B into the Road Traffic Regulation Act 1984.	23rd July 2007	2007/2053
In Schedule 11, paragraphs 1, 2, 3(except so far as it has not already been brought into force) 4, 5, 6 and 7.	31st March 2008	2007/2053
In Schedule 12, Part 1 so far as it relates to the repeal of certain enactments.	31st March 2008	2007/2053

(4) [1984 c.27.](#)