

2008 No. 3

ROAD TRAFFIC

**The Local Authorities' Traffic Orders (Procedure) (Scotland)
Amendment Regulations 2008**

<i>Made</i> - - - -	<i>7th January 2008</i>
<i>Laid before the Scottish Parliament</i>	<i>10th January 2008</i>
<i>Coming into force</i> - -	<i>8th February 2008</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 124 of, and Part III of Schedule 9 to, the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

In accordance with section 134(2) of that Act(b), they have consulted with such representative organisations as they think fit.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Local Authorities' Traffic Orders (Procedure) (Scotland) Amendment Regulations 2008 and come into force on 8th February 2008.

(2) These Regulations extend to Scotland only.

Amendment of the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999

2.—(1) Regulation 8 of the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 (hearing)(c) is amended as follows—

(a) in paragraph (1), after “and”, in the first place where it occurs, there is inserted “, subject to paragraph (1A),”; and

(a) 1984 c.27; there are amendments to section 124 not relevant to these Regulations. Part III of Schedule 9 was relevantly amended by the Local Government Act 1985 (c.51), Schedule 5, paragraph 4(39) and the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 80 and Schedule 9. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) There are amendments to section 134 not relevant to these Regulations.

(c) S.I. 1999/614 to which there are amendments not relevant to these Regulations.

(b) after paragraph (1) there is inserted—

“(1A) Sub-paragraphs (a) and (b) of paragraph (1) do not apply where an order only contains provision in connection with matters authorised by a private Act of the Scottish Parliament.”.

St Andrew’s House,
Edinburgh
7th January 2008

STEWART STEVENSON
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 which prescribe the procedure to be followed by local traffic authorities in Scotland for making the main types of traffic and parking orders under the Road Traffic Regulation Act 1984.

Regulation 2 amends regulation 8 of the 1999 Regulations so that the provisions requiring a mandatory hearing under sub-paragraphs (a) and (b) of paragraph (1) of that regulation will not be triggered where the order in question is bringing forward provision in connection with matters authorised by a private Act of the Scottish Parliament.

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