

2023 No. 248

ROAD TRAFFIC

The Parking Attendants (Wearing of Uniforms) (North Ayrshire Council) Regulations 2023

Made - - - - *6th September 2023*

Laid before the Scottish Parliament *8th September 2023*

Coming into force - - *3rd November 2023*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 63A of the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

In accordance with section 134(8)(b) of that Act the Scottish Ministers have consulted with such representative organisations as they think fit.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Parking Attendants (Wearing of Uniforms) (North Ayrshire Council) Regulations 2023 and come into force on 3 November 2023.

(2) In these Regulations—

“the 1984 Act” means the Road Traffic Regulation Act 1984,

“the 1991 Act” means the Road Traffic Act 1991(c),

“the North Ayrshire Council parking area” means the area designated as a permitted parking area and a special parking area by article 3 of the Road Traffic (Permitted Parking Area and Special Parking Area) (North Ayrshire Council) Designation Order 2023(d).

Prescribed functions

2.—(1) All functions conferred on parking attendants by or under the enactments mentioned in paragraph (2) are prescribed for the purposes of section 63A(4) of the 1984 Act (wearing of uniforms by parking attendants when exercising prescribed functions) in its application to the North Ayrshire Council parking area.

(2) The enactments referred to in paragraph (1) are—

(a) 1984 c. 27. Section 63A was inserted by the Road Traffic Act 1991 (c. 40), section 44(1); section 142(1) contains a definition of “prescribed” relevant to the making of these Regulations. Sections 63A and 142(1) are modified in relation to the North Ayrshire Council parking area by the Road Traffic (Permitted Parking Area and Special Parking Area) (North Ayrshire Council) Designation Order 2023, S.S.I. 2023/249. The functions of the Secretary of State, so far as they are exercisable within devolved competence, were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c. 46).

(b) Section 134(8) was inserted by the Scotland Act 2016 (c. 11), schedule 2, paragraph 12(5).

(c) 1991 c. 40.

(d) S.S.I. 2023/249.

- (a) section 99 of the 1984 Act (removal of vehicles),
- (b) section 66(1) of the 1991 Act (issue of penalty charge notice)(**a**),
- (c) section 69 of the 1991 Act (immobilisation of vehicles).

FIONA HYSLOP

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
6th September 2023

(a) Sections 66 and 69 of the Road Traffic Act 1991 (c. 40) are modified in relation to North Ayrshire Council parking area by the Road Traffic (Permitted Parking Area and Special Parking Area) (North Ayrshire Council) Designation Order 2023 S.S.I. 2023/249.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe functions during the exercise of which a parking attendant must wear such uniform as the Scottish Ministers may determine (regulation 2).

The requirement to wear a uniform is contained in section 63A(4) of the Road Traffic Regulation Act 1984. Section 63A itself applies to Greater London only but by virtue of the Road Traffic (Permitted Parking Area and Special Parking Area) (North Ayrshire Council) Designation Order 2023 that section is modified so as to apply to the parking area designated by that Order. Accordingly, parking attendants exercising the prescribed functions within that parking area are required to wear a uniform when doing so.

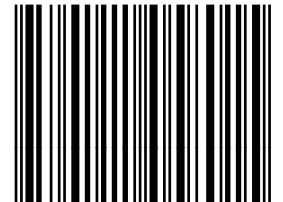
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£5.78

<http://www.legislation.gov.uk/id/ssi/2023/248>

ISBN 978-0-11-105801-5



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