



# Local Government etc. (Scotland) Act 1994

## 1994 CHAPTER 39

### PART I

#### LOCAL GOVERNMENT REORGANISATION

#### CHAPTER 6

#### FUNCTIONS

#### *Traffic*

#### **44 Restriction on order-making powers of existing authorities.**

- (1) Where a regional council propose to make an order such as is mentioned in subsection (2) below and the order—
  - (a) will come into effect after such date as the Secretary of State may by order made by statutory instrument prescribe; and
  - (b) will continue in effect after 31st March 1996,they shall, before making the order, seek the consent of the successor authority.
- (2) The orders referred to in subsection (1) above are any orders made under the following provisions of the <sup>M1</sup>Road Traffic Regulation Act 1984—
  - (a) section 1 (traffic regulation orders);
  - (b) section 9 (experimental traffic orders);
  - (c) section 14 (temporary traffic orders);
  - (d) section 32 (provision of parking places by authorities);
  - (e) section 35 (orders relating to use of parking places);
  - (f) section 37 (orders as to general scheme of traffic control);
  - (g) section 45 (orders designating paying parking places);

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*Status: Point in time view as at 04/01/1995.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Section 44. (See end of Document for details)*

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- (h) section 46 (further orders regulating paying parking places); and
  - (i) section 84 (speed limits on certain roads).
- (3) Where a successor authority refuse their consent to a proposed order to which this section applies the regional council shall not make the order without having obtained the consent of the Secretary of State.
- (4) Where—
- (a) a regional council have sought the consent of a successor authority to the making of a proposed order to which this section applies; and
  - (b) the successor authority have failed, within 6 weeks of such consent being sought, to consent,
- the successor authority shall be deemed to have given such consent.
- (5) In this section “successor authority” means any council constituted under section 2 of this Act (other than the councils for Orkney Islands, Shetland Islands and Western Isles) in whose area the proposed order will have effect.

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**Marginal Citations**

**M1** 1984 c. 27.

**Status:**

Point in time view as at 04/01/1995.

**Changes to legislation:**

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