



Disabled Persons' Parking Places (Scotland) Act 2009

2009 asp 3

Final provisions

13 Regulations

- (1) Regulations made by the Scottish Ministers under this Act—
 - (a) must be made by statutory instrument;
 - (b) may make different provision for different purposes.
- (2) A statutory instrument containing regulations under section 5(6)(a) is subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (3) A statutory instrument containing regulations under section 11(3) or 12(3) may not be made unless a draft of the instrument has been laid before and approved by a resolution of the Scottish Parliament.

14 Interpretation

- (1) In this Act—
 - “the 1984 Act” means the Road Traffic Regulation Act 1984 (c. 27);
 - “advisory disabled off-street parking place” means an off-street parking place —
 - (a) to which the public have access,
 - (b) which is marked or sign-posted as being for use only by a disabled persons' vehicle, and
 - (c) which is not the subject of an order under section 35 of the 1984 Act providing that it may be used only by a disabled persons' vehicle;
 - “advisory disabled street parking place” means a street parking place which—
 - (a) is marked or sign-posted as being for use only by a disabled persons' vehicle, and
 - (b) is not the subject of an order under section 35 or 45 of the 1984 Act specifying or providing that it may be used only by a disabled persons' vehicle;

Status: This is the original version (as it was originally enacted).

“development order” has the same meaning as in the Town and Country Planning (Scotland) Act 1997 (c. 8) (see section 30);

“disabled persons' badge” means—

- (a) a badge issued under section 21 of the Chronically Sick and Disabled Persons Act 1970 (c. 44),
- (b) a badge issued under a provision of the law of Northern Ireland corresponding to that section, or
- (c) a badge issued by any member State other than the United Kingdom for purposes corresponding to the purposes for which badges under that section are issued;

“disabled persons' vehicle” means a vehicle lawfully displaying a disabled persons' badge;

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39);

“planning permission” has the same meaning as in the Town and Country Planning (Scotland) Act 1997 (c. 8) (see section 277);

“premises” includes any land or building;

“relevant development” means—

- (a) the construction of premises which include an advisory disabled off-street parking place, or
- (b) the creation of an advisory disabled off-street parking place in existing premises;

“reporting period” means—

- (a) the period beginning with the date on which this Act comes into force and ending with the second succeeding 31 March, and
- (b) each successive financial year;

“road” has the same meaning as in the Roads (Scotland) Act 1984 (c. 54) (see section 151);

“the statutory procedure”, in relation to the making of a disabled off-street parking order or a disabled street parking order, means the procedure to be followed in connection with the making of an order under section 35 or 45 (as the case may be) of the 1984 Act in accordance with regulations made under paragraph 21 of Schedule 9 to that Act;

“street parking place” and “off-street parking place” refer respectively to a parking place on land which does, and which does not, form part of a road.

(2) References in this Act to a person's address—

- (a) in the case of an individual, are references to the address of the individual's main home;
- (b) in the case of an organisation, include a reference to any address at which the organisation has a place of business.

15 Short title and commencement

(1) This Act may be cited as the Disabled Persons' Parking Places (Scotland) Act 2009.

(2) This Act (except this section) comes into force at the end of the period of six months beginning with the date of Royal Assent.