

SCHEDULE 2

MODIFICATIONS OF PROVISIONS OF PART II OF THE ROAD TRAFFIC ACT 1991

- 4.—(1) Section 73 shall be modified as follows.
- (2) Subsections (1) and (2) shall be omitted.
- (3) For subsection (3) there shall be substituted—
- “ (3) The traffic commissioner shall, with the consent of the Lord Advocate, appoint persons to act as parking adjudicators for the purposes of this Part of this Act.”.
- (4) After subsection (3) there shall be inserted the following subsections—
- “ (3A) A parking adjudicator appointed by virtue of this section is authorised to act as a parking adjudicator in relation to the parking area.
- (3B) The parking authority, after consultation with the traffic commissioner—
- (a) shall—
- (i) provide or enter into arrangements for the provision of accommodation and administrative staff for the parking adjudicators acting in relation to the parking area;
- (ii) determine the places at which such parking adjudicators are to sit; and
- (b) may enter into arrangements for the remuneration of such parking adjudicators.”.
- (5) In subsection (4) for the words from “have” to the end there shall be substituted “be an advocate or solicitor of at least five years' standing”.
- (6) In subsection (5), for the words “London authorities” there shall be substituted “traffic commissioner”.
- (7) For subsections (8) to (10) there shall be substituted—
- “ (8) The reasonable expenses of the traffic commissioner incurred in connection with the discharge of the duties imposed on him by this section, shall be met by the parking authority.”.
- (8) In subsection (11), for “The Secretary of State” substitute “The Scottish Ministers”.
- (9) In subsection (12)—
- (a) in each of paragraphs (i) and (j), for the word “costs” there shall be substituted “expenses”; and
- (b) in paragraph (j) for the word “county” there shall be substituted “sheriff”.
- (10) In subsection (15), for the words from “if a” to the end there shall be substituted “be recoverable by the person to whom the amount is payable as if it were payable under an extract registered decree arbitral bearing a warrant for execution issued by the sheriff court for any sheriffdom in Scotland”.
- (11) In subsections (17) and (18), for the words “Joint Committee”, in each place where they occur, there shall be substituted “parking authority”.