

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1st July 2002 certain provisions of the Transport (Scotland) Act 2001 (“the 2001 Act”), namely those parts of section 38 that are not already in force and section 39.

The Order contains transitional provisions which preserve the power of the traffic commissioners to impose penalties under section 111 of the Transport Act 1985 where breaches of the relevant legislation have occurred before 1st July 2002. The Order also limits the power of the traffic commissioners to impose penalties under section 39 of the 2001 Act to the amount which could have been imposed under section 111 of the 1985 Act at 30th June 2002 if the penalty relates to breaches occurring partly before and partly on or after 1st July 2002.