

SCHEDULE 2

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

- 4.—(1) Section 73 is modified as follows.
- (2) Omit subsections (1), (1A) and (2).
- (3) For subsection (3) substitute—
- “(3) The traffic commissioner must, with the consent of the Lord Advocate, appoint persons to act as parking adjudicators.”.
- (4) After subsection (3) insert—
- “(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) must—
- (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; and
- (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 substitute “be an advocate or solicitor of at least five years’ standing”.
- (6) In subsection (5) for “appointing authorities” substitute “traffic commissioner”.
- (7) For subsections (8) to (10) substitute—
- “(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 “costs” substitute “expenses”; and
- (b) in paragraph (j) for “county” substitute “sheriff”.
- (10) In subsection (15) for the words from “if a” to the end substitute “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 subsection (17) for “Joint Committee”, where it twice occurs, substitute “parking authority”.
- (12) In subsection (18)—
- (a) for “Joint Committee” substitute “parking authority”; and
- (b) for “the Secretary of State” substitute “the Scottish Ministers”.