
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Secretary of State's Traffic Orders (Procedure) (Scotland) Regulations 1987 ("the 1987 Regulations") and the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 ("the 1999 Regulations") in order to simplify the procedure relating to making experimental traffic regulation orders under section 9 of the Road Traffic Regulation Act 1984 ("experimental orders") and to introduce a special procedure for making orders giving permanent effect to certain experimental orders ("permanent orders").

Regulation 2 amends the 1987 Regulations to apply these new procedures to experimental orders and permanent orders made by the Scottish Ministers.

Regulation 2(2) to (6) amends the 1987 Regulations to disapply several procedural requirements relating to experimental orders and permanent orders made by the Scottish Ministers.

Regulation 2(7) inserts a new regulation 15 and regulation 16 into the 1987 Regulations. New regulation 15 provides for a simplified procedure for making an experimental order to the effect that the requirement for publication of proposals before making the order and the ability to make objections to the making of the order do not apply to an experimental order. New regulation 16 introduces a special procedure for making an experimental order permanent. By virtue of this regulation, a permanent order may be made to give permanent effect to an experimental order provided that the experimental order has been in force for at least 6 months, has not been modified more than 12 months after it was made and all other procedural requirements of the 1987 Regulations have been met in respect of it. New regulation 16(3)(a) and (5) and a new schedule 5 allow objections to be made to the making of a permanent order within the period of 6 months from the date on which the corresponding experimental order came into force.

Regulation 2(8) makes consequential amendments to schedule 3 of the 1987 Regulations.

Regulation 2(9) inserts a new schedule 5 into the 1987 Regulations which lays down requirements for information to be included in a notice of making relating to an experimental order.

Regulation 3 amends the 1999 Regulations to apply the new procedures to experimental orders and permanent orders made by local traffic authorities.

Regulation 3(2) inserts a definition of an experimental order.

Regulation 3(3) to (7) amends the 1999 Regulations to disapply several procedural requirements relating to experimental orders and related permanent orders made by local traffic authorities.

Regulation 3(8) inserts a new regulation 20A and regulation 20B into the 1999 Regulations. New regulation 20A provides for a simplified procedure for making an experimental order to the effect that the requirement for publication of proposals before making the order and the ability to make objections to the making of the order do not apply to an experimental order. New regulation 20B introduces a special procedure for making an experimental order permanent. By virtue of that regulation a permanent order may be made to give permanent effect to an experimental order provided that the experimental order has been in force for at least 6 months, has not been modified more than 12 months after it was made and all other procedural requirements of the 1999 Regulations have been met in respect of it. New regulation 20B(3)(a) and (5) and a new schedule 7 allow objections to be made to the making of a permanent order within the period of 6 months from the date on which the corresponding experimental order came into force.

Regulation 3(9) and (10) makes consequential amendments to the 1999 Regulations.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Regulation 3(11) inserts a new schedule 7 into the 1999 Regulations which lays down requirements for information to be included in a notice of making relating to an experimental order.