
STATUTORY INSTRUMENTS

1999 No. 614

**The Local Authorities' Traffic Orders
(Procedure) (Scotland) Regulations 1999**

**PART I
GENERAL**

Citation, commencement and extent

1. These Regulations may be cited as the Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999, shall come into force on 1st April 1999 and shall apply in Scotland only.

Interpretation

2.—(1) In these Regulations the following expressions have the meanings hereby respectively assigned to them:—

“the Act” means the Road Traffic Regulation Act 1984;

“authority”, in relation to an order, to which these Regulations apply means the local traffic authority making, or proposing to make, the order under the Act;

“concessionaire” means the person to whom rights under a toll order to charge and to collect tolls have been assigned under Part II of the New Roads and Street Works Act 1991(1);

“consolidation order” means an order which revokes provisions of one or more existing orders, reproduces those provisions without any change in substance and makes no other provision, but so, however, that for the purpose of this definition the following shall not be regarded as a change in substance, namely, the inclusion in the order (by way of an addition to the provisions of any existing order or orders) of an exemption required by the Local Authorities' Traffic Orders (Exemptions for Disabled Persons) (Scotland) Regulations 1971(2), in respect of a disabled person's vehicle, or of a provision conferring on a traffic warden functions similar to those conferred by the existing order or orders on a police constable in uniform or of both such exemption and such provision;

“Crown road” and “the appropriate Crown Authority” have the same meanings as in section 131(7) of the Act(3);

“fire authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(4) or, where the area of the fire authority forms part of a combined area for fire-fighting purposes, the joint board for fire services for that combined area;

“notice of proposals” and “notice of making”, in relation to an order, mean respectively the notices required to be published under regulations 5 and 17;

(1) 1991 c. 22.

(2) S.I.1971/1521, amended by S.I. 1975/881 and 1975/1586.

(3) Section 131(7) was amended by the Roads (Scotland) Act 1984 (c. 54), Schedule 9, paragraph 93(41)(b) and the New Roads and Street Works Act 1991, Schedule 8, paragraph 75.

(4) 1994 c. 39.

“NHS Trust” has the same meaning as in section 108(1) of the National Health Service (Scotland) Act 1978⁽⁵⁾;

“order” means, in relation to anything occurring or falling to be done before its making, an order as proposed to be made, and in relation to anything occurring or falling to be done on or after its making, that order as made;

“public passenger transport services” has the same meaning as in section 63(10)(a) of the Transport Act 1985⁽⁶⁾;

“relevant map”, in relation to an order, means the map required by regulation 15 to be prepared and kept in connection with that order; and

“toll order” has the same meaning as in Part II of the New Roads and Street Works Act 1991.

(2) Any reference in these Regulations to an order under any section of the Act includes a reference to an order varying or revoking an order made, or having effect as if made, under that section.

(3) Except where otherwise expressly provided, any reference in these Regulations to a numbered regulation or Schedule is a reference to the regulation or Schedule bearing that number in these Regulations and a reference in a regulation or Schedule to a numbered paragraph is a reference to the paragraph bearing that number in that regulation or Schedule.

Application of Regulations

3.—(1) Subject to regulation 21, these Regulations apply to orders made or proposed to be made by an authority under any of the following provisions of the Act, that is to say, sections 1, 9, 19, 29, 32, 35, 37, 38, 45, 46, 49(2) and (4), 83(2) and 84.

(2) Except where otherwise stated, each regulation applies to every such order.

(3) Except where otherwise stated, these Regulations apply to an order under any of the provisions of the Act mentioned in paragraph (1) made or proposed to be made by an authority in pursuance of a direction of the Secretary of State under paragraphs 1 and 2 of Schedule 9 to the Act in the same way as it applies to an order in relation to which no such direction has been given.

(5) 1978 c. 29; section 108(1) was amended by the National Health Service and Community Care Act 1990 (c. 19), Schedule 9, paragraph 19.

(6) 1985 c. 67.