1962 No. 1271 (S. 52)

POLICE

The Functions of Traffic Wardens (Scotland) Order 1962

Laid before Parliament in draft

Made - - - -	15*th June* 1962
Coming into Operation	15*th June* 1962

In exercise of the powers conferred on me by subsections (3) and (12) of section 2 of the Road Traffic and Roads Improvement Act 1960(**a**), I hereby make the following order, a draft of which has been laid before Parliament and has been approved by resolution of each House of Parliament:—

1.—(1) This order may be cited as the Functions of Traffic Wardens (Scotland) Order 1962.

(2) This order shall extend to Scotland only.

2. The functions set out in the Schedule to this order are hereby prescribed as appropriate for discharge by traffic wardens.

3. The Interpretation Act 1889(**b**) applies to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
15th June 1962.

SCHEDULE

Functions of Traffic Wardens

1.—(1) Traffic wardens may be employed to enforce the law with respect to an offence—

(*a*) committed in respect of a vehicle by its being left or parked on a road during the hours of darkness (as defined by the Road Transport Lighting Act 1957(**c**)), without the lights or reflectors required by law; or

(*b*) committed in respect of a vehicle by its obstructing a road, or waiting, or being left or parked, or being loaded or unloaded, in a road; or

(*c*) created by section 88 of the Road Traffic Act 1960(**d**) (which relates to offences in connection with parking places on highways where charges are made), other than an offence described in the foregoing provisions of this sub-paragraph.

(**a**) 8 & 9 Eliz. 2. c. 63. (**b**) 52 & 53 Vict. c. 63.
(**c**) 5 & 6 Eliz. 2. c. 51. (**d**) 8 & 9 Eliz. 2. c. 16.

(2) For the purposes of the enforcement of the law with respect to such of the offences described in sub-paragraph (1) of this paragraph as are offences to which section 1 of the Road Traffic and Roads Improvement Act 1960 (which relates to the fixed penalty procedure) applies. other than an offence committed in respect of a vehicle by its obstructing a road or the offence created by section 16 of the Road Traffic Act 1960 (which relates to leaving vehicles in dangerous positions), traffic wardens may exercise the functions conferred on constables by the said section 1 in an area to which the said section 1 extends.

2. Traffic wardens may, under arrangements made with a local authority, be employed to exercise the functions conferred on parking attendants or to be conferred on traffic wardens by a designation order (that is to say, a designation order as defined in the Road Traffic and Roads Improvement Act 1960).

3. Where a police authority provides school crossing patrols under section 47 of the Road Traffic Act 1960, whether as the appropriate authority or by agreement with the appropriate authority, traffic wardens appointed by or on behalf of that police authority may be employed to act as school crossing patrols.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This order, which is made under section 2 of the Road Traffic and Roads Improvement Act 1960, prescribes the functions which traffic wardens may be employed to discharge in Scotland.

Paragraph 1 (1) of the Schedule authorises the employment of traffic wardens to enforce the law with respect to certain offences; and paragraph 1 (2) authorises them to operate the fixed penalty procedure under section 1 of the said Act in relation to some of those offences, but not to the offences of obstruction and leaving vehicles in dangerous positions.

Paragraph 2 authorises the employment of traffic wardens to exercise the functions already conferred on parking attendants at street parking places by designation orders (which relate to parking meter zones).

Paragraph 3 authorises the employment of traffic wardens as school crossing patrols.