SCOTTISH STATUTORY INSTRUMENTS

2016 No. 408

ROAD TRAFFIC

The Parking Attendants (Wearing of Uniforms) (East Lothian Council Parking Area) Regulations 2016

Made - - - -	*6th December 2016*
Laid before the Scottish Parliament	*8th December 2016*
Coming into force - -	*23rd January 2017*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 63A(4) of the Road Traffic Regulation Act 1984(**a**) and all other powers enabling them to do so.

In accordance with section 134(2) of that Act they have consulted with such representative organisations as they think fit.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Parking Attendants (Wearing of Uniforms) (East Lothian Council Parking Area) Regulations 2016 and come into force on 23rd January 2017.

(2) In these Regulations—

"the 1984 Act" means the Road Traffic Regulation Act 1984;

"the 1991 Act" means the Road Traffic Act 1991(**b**); and

"the East Lothian Council parking area" means the area designated as a permitted parking area and a special parking area by article 3 of the Road Traffic (Permitted Parking Area and Special Parking Area) (East Lothian Council) Designation Order 2016(**c**).

Prescribed functions

2.—(1) All functions conferred on parking attendants by or under the enactments mentioned in paragraph (2) are prescribed for the purposes of section 63A(4) of the 1984 Act (wearing of uniforms by parking attendants when exercising prescribed functions) in its application to the East Lothian Council parking area.

(2) The enactments referred to in paragraph (1) are—

(a) section 99 of the 1984 Act (removal of vehicles);

(**a**) 1984 c.27. Section 63A was inserted by the Road Traffic Act 1991 c.40, section 44; section 142(1) contains a definition of "prescribed" relevant to the making of these Regulations. Section 63A and 142(1) are modified in relation to the East Lothian Council parking area by the Road Traffic (Permitted Parking Area and Special Parking Area) (East Lothian Council) Designation Order 2016, S.S.I. 2016/407. The functions of the Secretary of State, so far as they are exercisable within devolved competence, were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 c.46.

(**b**) 1991 c.40.

(**c**) S.S.I. 2016/407.

(b) section 66(1) of the 1991 Act (issue of a penalty charge notice)(**a**); and

(c) section 69 of the 1991 Act (immobilisation of vehicles).

H YOUSAF
Authorised to sign on behalf of the Scottish Ministers

St Andrew's House,
Edinburgh
6th December 2016

(**a**) Sections 66 and 69 of the 1991 Act are modified in relation to the East Lothian Council parking area by the Road Traffic (Permitted Parking Area and Special Parking Area) (East Lothian Council) Designation Order 2016.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe functions during the exercise of which a parking attendant must wear such uniform as the Scottish Ministers may determine (regulation 2).

The requirement to wear a uniform is contained in section 63A(4) of the Road Traffic Regulation Act 1984. Section 63A itself applies to Greater London only but by virtue of the Road Traffic (Permitted Parking Area and Special Parking Area) (East Lothian Council) Designation Order 2016 that section is modified so as to apply to the parking area designated by that Order. Accordingly, parking attendants exercising the prescribed functions within that parking area are required to wear a uniform when doing so.

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