This Scottish Statutory Instrument has been made in consequence of errors in S.S.I. 2005/12 and is being issued free of charge to all known recipients of that instrument.

SCOTTISH STATUTORY INSTRUMENTS

2005 No.35

ROAD TRAFFIC

The Parking Attendants (Wearing of Uniforms) (South Lanarkshire Council Parking Area) (No. 2) Regulations 2005

Made - - - -	*24th January 2005*
Laid before the Scottish Parliament	*24th January 2005*
Coming into force - -	*7th February 2005*

The Scottish Ministers, in exercise of the powers conferred on them by section 63A of the Road Traffic Regulation Act 1984(**a**), and of all other powers enabling them in that behalf, and after consultation with such representative organisations as they think fit in accordance with section 134(2) of that Act, hereby make the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Parking Attendants (Wearing of Uniforms) (South Lanarkshire Council Parking Area) (No. 2) Regulations 2005 and shall come into force on 7th February 2005.

(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

"South Lanarkshire 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) (South Lanarkshire Council) Designation Order 2005(**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 South Lanarkshire 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 and was modified in relation to the South Lanarkshire parking area by S.S.I. 2005/11; section 142(1) of the Road Traffic Regulation Act 1984 contains a definition of "prescribed" relevant to the making of these Regulations. The functions of the Secretary of State transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

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

(**c**) S.S.I. 2005/11.

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

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

Revocations

3. The Parking Attendants (Wearing of Uniforms) (South Lanarkshire Council Parking Area) Regulations 2005(**a**) are hereby revoked.

NICOL STEPHEN
A member of the Scottish Executive

St Andrew's House,
Edinburgh
24th January 2005

(**a**) S.S.I. 2005/12.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace S.S.I. 2005/12 which makes erroneous reference to the Dundee parking area in regulations 1(2) and 2(1). The Regulations prescribe functions during the exercise of which, a parking attendant must wear such uniform as the Scottish Ministers may determine.

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) (South Lanarkshire Council) Designation Order 2005 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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