STATUTORY INSTRUMENTS

1962 No. 1320

HIGHWAYS, ENGLAND AND WALES

The Special Roads (Notice of Opening) Regulations 1962

Made - - - -	22*nd June* 1962
Laid before Parliament	2*nd July* 1962
Coming into Operation	10*th July* 1962

The Minister of Transport makes these Regulations in exercise of his powers under section 20 (5) of the Road Traffic Act 1960(a) and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 260 (2) of that Act.

1. The notice required for the purposes of section 20 (5) of the Road Traffic Act 1960 to be published by the highway authority for a special road in England or Wales declaring the date on which that road or any part of it is open for use as a special road shall, not less than 7 days before that date, be published in at least one newspaper circulating in the area in which the special road or, as the case may be, that part of the road is situated and in the London Gazette.

2. The Special Roads (Procedure) (Amendment) Regulations 1958(b), in so far as they extend to England and Wales, are hereby revoked.

3. The Interpretation Act 1889(c) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 38 of that Act these Regulations were an Act of Parliament and the Regulations revoked by Regulation 2 were an Act of Parliament thereby repealed.

4. These Regulations shall come into operation on the 10th July 1962 and may be cited as "The Special Roads (Notice of Opening) Regulations 1962".

Sealed with the Official Seal of the Minister of Transport on the 22nd June 1962.

(L.S.)

Ernest Marples,
The Minister of Transport.

(a) 8 & 9 Eliz. 2. c. 16. (b) S.I. 1958/1848 (1958 II, p. 2222).
(c) 52 & 53 Vict. c. 63.

EXPLANATORY NOTE

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

These Regulations re-enact for England and Wales without amendment the regulation which, by virtue of the Special Roads (Procedure) (Amendment) Regulations 1958, was added to the Special Roads (Procedure) Regulations 1950 (S.I. 1950/1850) (which, inter alia, prescribed the procedure to be followed in connection with the making of schemes and orders under the Special Roads Act 1949). Under section 16 of the Act of 1949 the highway authority for a special road were required to publish in the prescribed manner a notice declaring the date on which the special road is open for use, and the regulation so added to the Regulations of 1950 and now re-enacted prescribed the manner in which the said notice is to be published.

Section 16 of the Special Roads Act 1949, except that part which confers power to prescribe the notice referred to, has been re-enacted in the Highways Act 1959, the excepted part being re-enacted in the Road Traffic Act 1960. The Regulations of 1950 have been revoked as respects England and Wales and in the main re-enacted with amendments by the Special Roads and Trunk Roads (Procedure) Regulations 1962 (S.I. 1962/1319) made under section 284 of the 1959 Act, and accordingly the regulation added by virtue of the Regulations of 1958 is hereby re-enacted under the relevant provision of the 1960 Act.