SCOTTISH STATUTORY INSTRUMENTS

2001 No. 405

OPEN SPACES

The Holyrood Park Amendment Regulations 2001

Made - - - -	*5th November 2001*
Coming into force - -	*6th November 2001*

The Scottish Ministers, in exercise of the powers conferred by section 2(1) of the Parks Regulations (Amendment) Act 1926(**1**), and of all other powers enabling them in that behalf, hereby make the following Regulations, a draft of which has, in accordance with section 2(2) of that Act, section 6(2) of the Statutory Instruments Act 1946(**2**), and articles 3(3) and 12 of the Scotland Act 1998 (Transitory and Transitional Provisions) (Statutory Instruments) Order 1999(**3**), been laid before the Scottish Parliament and a period of 40 days having expired without a resolution that the Regulations be not made:

Citation and commencement

1. These Regulations may be cited as the Holyrood Park Amendment Regulations 2001 and shall come into force on 6th November 2001.

Amendment of the Holyrood Park Regulations 1971

2. The Holyrood Park Regulations 1971(**4**) will be amended in accordance with the following regulations.

3. In regulation 2(1) (interpretation)–

(a) before the definition of "the Park" there shall be inserted the following definition:–

> ""heavy commercial vehicle" has the same meaning as in section 138 of the Road Traffic Regulation Act 1984(**5**);"; and

(**1**) 1926 c. 36; section 2(1) was amended by the Criminal Procedure (Scotland) Act 1975 (c. 21), sections 289F and 289G (as inserted by the Criminal Justice Act 1982 (c. 48), section 54). In terms of the Ministry of Works (Transfer of Powers) (No.1) Order 1945 (S.R.&O. 1945/991), the Ministry of Works (Change of Style and Title) Order 1962 (S.I.1962/1549) and the Transfer of Functions (Scottish Royal Parks and Ancient Monuments) Order 1969 (S.I. 1969/383) the functions of the Commissioner of Works were transferred to the Secretary of State. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

(**2**) 1946 c. 36; section 6(2) was modified by article 3(3) of the Scotland Act 1998 (Transitory and Transitional Provisions) (Statutory Instruments) Order 1999 (S.I. 1999/1096).

(**3**) S.I. 1999/1096.

(**4**) 1971/593.

(**5**) 1984 c. 27; section 138 was amended by the Road Traffic Act 1988 (c. 52), section 41.