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WELSH STATUTORY INSTRUMENTS

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**2008 No. 614**

**The Civil Enforcement of Parking Contraventions  
(General Provisions) (Wales) Regulations 2008**

**PART 4**

**FINANCIAL PROVISIONS**

**Modification of section 55 of the Road Traffic Regulation Act 1984**

**10.**—(1) Section 55 of the Road Traffic Regulation Act 1984<sup>(1)</sup> applies in relation to the income and expenditure of enforcement authorities in connection with their functions under Part 6 of the 2004 Act in relation to parking contraventions, subject to the following modifications.

(2) For subsection (1) there is substituted—

“(1) A local authority in Wales which is an enforcement authority must keep an account—

- (a) of its income and expenditure in respect of any designated parking places in its area which are not in a civil enforcement area;
- (b) of its income and expenditure (otherwise than as an enforcement authority) in respect of designated parking places in its area which are in a civil enforcement area; and
- (c) of its income and expenditure in connection with its functions as an enforcement authority in relation to parking contraventions within paragraph 4 of Schedule 7 to the 2004 Act.”.

(3) For subsection (3A) there is substituted—

“(3A) A local authority in Wales which is an enforcement authority must after the end of each financial year send a copy of the account kept under subsection (1) to the Welsh Ministers.”.

(4) In subsection (3B) for the words “the end of” there is substituted “the conclusion of the audit of the accounts of the body concerned for”.

(5) In subsection (10) after “in this section—” there is inserted—

““the 2004 Act” means the Traffic Management Act 2004;

“enforcement authority” means an authority which is an enforcement authority for the purposes of Part 6 of the 2004 Act (pursuant to paragraphs 1(2), and 8(5) of Schedule 8) and references to the functions of an authority as an enforcement authority are to its functions under that Part of that Act;”.

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<sup>(1)</sup> In relation to Wales, section 55 was amended by the Local Government Finance Act 1988 (c. 41), Schedule 12, paragraph 42, by the New Roads and Street Works Act 1991 (c. 22), Schedule 8, paragraph 46, by the Road Traffic Act 1991, Schedule 7, paragraph 5, Schedule 8 and by the, Traffic Management Act 2004, section 95.

### **Surpluses to be carried forward**

11. Where, immediately before the coming into force of these Regulations there is a surplus in an account which is—

- (a) kept under section 55 of the Road Traffic Regulation Act 1984 as modified in relation to that authority by an order made under Schedule 3 to the Road Traffic Act 1991<sup>(2)</sup>; and
- (b) kept by a local authority,

the surplus must be carried forward and treated as a surplus arising under section 55 as it is modified by regulation 10.

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(2) In relation to Wales, Schedule 3 was amended by S.I.1996/500.