
STATUTORY INSTRUMENTS

1997 No. 276

The Road Traffic Regulation (Northern Ireland) Order 1997

PART IV

PARKING PLACES

Provisions as to use of parking places

13.—(1) The Department may by order make provision as to—

- (a) the use of any parking place provided under Article 10 or 11, and in particular the persons who, or vehicles which, may be entitled to use it; and
- (b) the conditions on which it may be used.

(2) An order under paragraph (1) may make provision as to the charges to be paid in connection with the use of an off-street parking place, including provision requiring those charges, or any part of them, to be paid by means of the hire or purchase in advance, or the use, of parking devices in accordance with the order.

(3) The amount of any charge for a vehicle left in an off-street parking place shall be such amount as the Department may by an order under paragraph (1) determine, and any such amount may be fixed—

- (a) as an amount (an “initial charge”) payable in respect of an initial period and an amount (an “excess charge”) payable, in addition to an initial charge, in respect of any excess over an initial period; or
- (b) as an amount payable regardless of the period for which a vehicle is left; or
- (c) in such other manner as may be specified in the order.

(4) An order under paragraph (1) may make provision for—

- (a) imposing an alternative charge in such circumstances as may be specified in such an order;
- (b) reducing any amount payable under such an order if it is paid within a period specified in the order.

(5) An order under paragraph (1) may make provision as to—

- (a) the issue, display and operation of a specified apparatus or device for indicating the time at which a vehicle arrived at, and the time at which it ought to leave, a parking place, or one or other of those times;
- (b) the use of a specified apparatus or device for indicating the charges paid or payable in respect of a vehicle left in an off-street parking place or for collecting any such charges.

(6) An order under paragraph (1) may make provision—

- (a) for regulating the issue, use and surrender of parking devices;
- (b) for requiring vehicles to display parking devices when left in any parking place in respect of which the parking devices may be used;

- (c) without prejudice to the generality of sub-paragraph (b), for regulating the manner in which parking devices are to be displayed or operated;
- (d) for regulating the use, and the manner of use, of any specified apparatus designed to be used in connection with parking devices;
- (e) for treating—
 - (i) the indications given by a parking device, or
 - (ii) the display or failure to display a parking device on or in any vehicle left in a parking place,as evidence of such facts and for such purposes as may be provided by the order;
- (f) for the refund, in such circumstances and in such manner as may be specified in the order, of the whole or part of the amount of any charge paid in advance in respect of a parking device;
- (g) for the payment of a deposit in respect of the issue of a parking device and for the repayment of the whole or any part of such a deposit.

(7) In this Article and in Article 14 “parking device” means either a card, disc, token, meter, permit, stamp or other similar device, whether used in a vehicle or not, which, being used either by itself, or in conjunction with any such apparatus as is referred to in paragraph (6)(d)—

- (a) indicates, or causes to be indicated, the payment of a charge, and—
 - (i) the period in respect of which it has been paid and the time of the beginning or end of the period, or
 - (ii) whether or not the period for which it has been paid or any further period has elapsed, or
 - (iii) the period for which the vehicle in relation to which the parking device is used is permitted to park in the parking place, and the time of the beginning or end of the period, or
 - (iv) whether or not the period for which the vehicle in relation to which the parking device is used is permitted to park in the parking place or any further period has elapsed; or
- (b) operates apparatus controlling the entry of vehicles to or their exit from the parking place, or enables that apparatus to be operated;

or any other device of such description as may be prescribed for the purposes of this Article and Article 14.

(8) Regulations under paragraph (7) which revoke or amend previous regulations under that paragraph may make such saving and transitional provision as appears to the Department to be necessary or expedient.

(9) An order under paragraph (1) may restrict the use (either at all times or at times specified in the order) of a specified parking place authorised under Article 10(4)—

- (a) only to such persons or vehicles as may be authorised for the purpose by a permit issued by the Department under paragraph (10); or
- (b) both to such persons or vehicles and, subject to specified conditions as to duration of parking or times at which parking is authorised, to such other persons or vehicles as may be specified in the order.

(10) The Department may issue permits for the purposes of paragraph (9) and, in the case of any particular parking place and any particular vehicle or class of vehicle, issue a permit for that vehicle or class of vehicle to be left in the parking place while the permit remains in force, either at all times or at times specified in the permit.

(11) The Department may make such charge in connection with the issue of permits under paragraph (10), of such amount and payable in such manner, as the Department may determine.

(12) An order under paragraph (1) may make provision—

- (a) for regulating the issue, revocation and surrender of any permit such as is mentioned in paragraph (10) and the issue, use and surrender of tokens indicating the holding of such a permit, or the payment of any charge in connection with the issue of the permit;
- (b) for requiring a vehicle to which such a permit applies to display the permit or such a token when left in a parking place to which the permit applies, and for treating the display of or failure to display the permit or such a token on any vehicle left at a parking place as evidence of such facts and for such purposes as may be provided by the order;
- (c) for the refund, in such circumstances and in such manner as may be provided by the order, of the amount of any charge paid in advance by virtue of paragraph (11).

(13) An order under paragraph (1) may make provision as to—

- (a) the removal of any vehicle left in a parking place in contravention of such an order;
- (b) the removal in an emergency of any vehicle left in a parking place;
- (c) prohibiting the leaving of any thing, other than a vehicle, in an off-street parking place;
- (d) the removal from an off-street parking place of any thing, other than a vehicle, left there in contravention of an order ? under paragraph (1);
- (e) the safe custody of any thing (including a vehicle) removed under sub-paragraph (a), (b) or (d);
- (f) the disposal of any thing, other than a vehicle, removed under sub-paragraph (d);
- (g) the recovery of any costs reasonably incurred in connection with the removal, custody or disposal of any thing, other than a vehicle, removed under sub-paragraph (d).

(14) An order under paragraph (1) may make provision authorising the use of part of an off-street parking place—

- (a) for the collection of recyclable materials; or
- (b) for advertising; or
- (c) for displaying information to the public,

in accordance with a licence issued by the Department.

(15) For the purposes of paragraph (14) the Department may issue licences for such consideration and on such terms and conditions as the Department thinks fit and an order under paragraph (1) may make provision regulating the issue, revocation and surrender of such licences.

(16) An order under paragraph (1) may make provision for the suspension of the use of a parking place or any part of it on such occasions or in such circumstances as may be specified in the order.

(17) A copy of any order under paragraph (1) relating to an off-street parking place shall be exhibited on or near that parking place.

(18) Schedule 4 makes further provision relating to orders under this Article.