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STATUTORY INSTRUMENTS

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**1997 No. 276**

**The Road Traffic Regulation (Northern Ireland) Order 1997**

**PART VII**

**TRAFFIC WARDENS**

**Employment of traffic wardens**

**44.**—(1) Subject to the provisions of this Part and Article 90(1) of the Road Traffic Offenders (Northern Ireland) Order 1996, the Chief Constable may authorise persons appointed or deemed to have been appointed for the purpose by the Police Authority to discharge, in aid of the Royal Ulster Constabulary—

- (a) such functions normally undertaken by the Royal Ulster Constabulary in connection with the control and regulation of, or the enforcement of the law relating to, traffic (including pedestrians) or vehicles on roads or other public places; and
- (b) such other functions in connection with the functions described in sub-paragraph (a),

as the Department may by order specify; and persons so appointed or deemed to have been so appointed shall be known as traffic wardens.

(2) Subject to paragraph (3), an order made under this Article may provide that, for the purposes of any functions which traffic wardens are authorised to discharge by the order, references to a constable in any of the following provisions shall include references to a traffic warden—

- (a) Articles 177 to 179 and 180(1) to (3A), (4AB) and (7) of the Order of 1981;
- (b) Articles 49 and 50 of the Order of 1995;
- (c) Article 47 and, so far as it applies to vehicles to which Article 47(1) applies, Article 48;
- (d) Article 57.

(3) Any power of a constable for the purposes of the provisions specified in sub-paragraph (a) or (d) of paragraph (2) shall be exercisable by a traffic warden under an order made by virtue of that paragraph only where—

- (a) the traffic warden is assisting a constable; or
- (b) the traffic warden has reasonable cause to believe that an offence has been committed of a description specified in relation to the Article in question for the purposes of this sub-paragraph by the order and, in the case of a power for the purposes of Article 177 of the Order of 1981, the order authorises the use of that power in relation to that offence; or
- (c) in the case of a power for the purposes of Article 180(1) of the Order of 1981, the traffic warden is exercising functions in connection with the control and regulation of traffic (including pedestrians) or vehicles.