

SCHEDULES

SCHEDULE 1

Article 4(6).

TRAFFIC REGULATION ORDERS

1.—(1) The Department shall comply with paragraphs 2 and 3 before making a traffic regulation order, unless the sole effect of the order is to reproduce provisions of previous traffic regulation orders or to reproduce and continue indefinitely provisions of an experimental traffic control scheme which has been in force for at least six months.

(2) Sub-paragraph (1) shall not require the Department to comply with paragraphs 2 and 3 in respect of provisions of a traffic regulation order which reproduce provisions in respect of which the Department has already complied with those paragraphs but has not made a traffic regulation order including them.

2. The Department shall consult such persons as the Department considers appropriate.

3.—(1) The Department shall publish a notice including the particulars specified in sub-paragraph (2).

(2) The particulars which the notice must contain are—

- (a) the title of the order;
- (b) a statement of the general nature and effect of the order;
- (c) the name or a brief description of any road^{F1} or area] to which the order will
- (d) an address^{F1} . . . where a copy of the draft provision and any relevant map or plan may be inspected by any person free of charge at all reasonable hours during the period mentioned in head (e); and
- (e) the period during which, and the address to which, objections or other representations may be made, and a statement that all objections or other representations must be in writing and must specify the grounds on which they are made.

(3) The period specified under sub-paragraph (2)(e) shall not be less than 21 days from the date of the publication or last publication of the notice.

(4) The Department shall consider any objections or other representations in respect of the draft order made within the period specified under sub-paragraph (2)(e).

(5) Publication of a notice under sub-paragraph (1)^{F1} . . . shall be in a newspaper circulating in the^{F1} district where the order will apply].

F1 2005 NI 14

4. ^{F2}

F2 Sch. 1 para. 4 repealed (14.8.2010) by Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 (c. 14), ss. 8(2), 9(1), **Sch. 3**

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5. The Department may make a traffic regulation order with or without omissions and other modifications.

6.—(1) Where the Department makes a traffic regulation order, it shall—

(a) notify—

(i) any person consulted under paragraph 2; and

(ii) any person who made objections or other representations in accordance with paragraph 3; and

(b) publish in a newspaper circulating in the^{F3} district where the order applies] a notice stating that the order has been made.

(2) Where the Department makes a traffic regulation order which includes provisions in respect of which by virtue of paragraph 1(2) the Department has not complied with paragraphs 2 and 3, the Department shall also notify any person who was originally consulted under paragraph 2 or who originally made objections or other representations in accordance with paragraph 3.

F3 2005 NI 14

SCHEDULE 2

Article 5(10).

EXPERIMENTAL TRAFFIC CONTROL SCHEMES

1. In this Schedule—

(a) “scheme” means an experimental traffic control scheme; and

(b) references to making a scheme do not include references to making a scheme the sole effect of which is to revoke another scheme.

2. The Department shall comply with paragraphs 3 and 4 before making a scheme.

3. The Department shall consult such persons as the Department considers appropriate.

4.—(1) The Department shall publish in a newspaper circulating in the^{F4} district where the scheme applies] a notice including the particulars specified in sub-paragraph (2).

(2) The particulars which the notice must contain are—

(a) the title of the scheme;

(b) a statement of the general nature and effect of the scheme;

(c) the name or a brief description of the road^{F4} or area] to which the scheme will apply;

(d) an address^{F4} . . . where a copy of the draft scheme and any relevant map or plan may be inspected by any person free of charge at all reasonable hours during the period mentioned in head (e); and

(e) the period during which, and the address to which, objections or other representations may be made, and a statement that all objections or other representations must be in writing and must specify the grounds on which they are made.

(3) The period specified under sub-paragraph (2)(e) shall not be less than 21 days from the date of the publication or last publication of the notice.

(4) The Department shall consider any objections or other representations in respect of the draft scheme made within the period specified under sub-paragraph (2)(e).

F4 2005 NI 14

5. ^{F5}

F5 Sch. 2 para. 5 repealed (14.8.2010) by Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 (c. 14), ss. 8(2), 9(1), **Sch. 3**

6. The Department may make a scheme with or without omissions and other modifications.

7.—(1) Where the Department makes a scheme, it shall—

(a) notify—

(i) any person consulted under paragraph 3; and

(ii) any person who made objections or other representations in accordance with paragraph 4; and

(b) publish—

(i) in the Belfast Gazette; and

(ii) in a newspaper circulating in the^{F6} district where the scheme applies],

a notice stating that the scheme has been made.

(2) The notice published under sub-paragraph (1)(b) shall include the following statements—

(a) that the Department will consider in due course whether the provisions of the scheme should be continued in force indefinitely;

(b) that within the period of six months from the commencement of the scheme any person may object to the making of a traffic regulation order for the purpose of continuing the provisions of the scheme in force indefinitely;

(c) that any such objection must be in writing, must give the grounds on which it is made and must be made to the address specified in the notice; and

(d) that a copy of the scheme and any relevant map or plan may be inspected by any person free of charge at all reasonable hours during the period mentioned in sub-paragraph (b) at the address mentioned in sub-paragraph (c).

F6 2005 NI 14

8. Paragraph 7 shall have effect in relation to the making of a scheme the sole effect of which is to revoke another scheme as if sub-paragraphs (1)(a) and (2) were omitted.

9. Where under Article 5(5) the Department directs that a scheme shall continue in force, the Department shall publish in the Belfast Gazette and in a newspaper circulating in the^{F7} district where the scheme applies] a notice stating the period for which the scheme is to continue in force.

F7 2005 NI 14

10.—(1) Where under Article 5(8) the Department directs in a scheme that a provision is to be suspended or modified, a notice under paragraph 7(1)(b) shall indicate the provision affected by the direction and its nature, and shall—

(a) in the case of the making or amendment of a scheme, state the period for which the suspension or modification is to have effect; or

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- (b) in the case of the revocation of a scheme, state the date on which the suspension or modification is to cease to have effect.
- (2) Where, except as provided by sub-paragraph (1), under Article 5(8) the Department directs that a provision is to be suspended or modified, the Department shall publish in the Belfast Gazette and in a newspaper circulating in the^{F8} district where the provision applies] is situated a notice—
 - (a) indicating the provision affected by the direction and its nature; and
 - (b) stating the period for which the suspension or modification is to have effect.

F8 2005 NI 14

SCHEDULE 3

Article 7(10)

TEMPORARY TRAFFIC REGULATION

Modifications etc. (not altering text)

C1 Sch. 3 applied (with modifications) (22.6.2007) by [Road Tunnel Safety Regulations 2007 \(S.I. 2007/1520\)](#), **reg. 7(4)(8)**(with reg. 3) (as amended (28.5.2021) by [The Road Tunnel Safety \(Amendment\) Regulations 2021 \(S.I. 2021/552\)](#), **regs. 1, 6**)

1. Where the Department imposes or proposes to impose restrictions or prohibitions under Article 7 on the use of any road, the Department shall comply with paragraph 2 unless it is satisfied that the restrictions or prohibitions are unlikely to remain in force for more than two weeks.
2. The Department shall publish in a newspaper circulating in the^{F9} district] in which the road is situated, a notice specifying—
 - (a) the restrictions or prohibitions imposed or to be imposed on the use of the road;
 - (b) the period during which such restrictions or prohibitions are likely to be in force; and
 - (c) where appropriate, an alternative route or routes available for traffic.

F9 2005 NI 14

3. Where any restrictions or prohibitions imposed under Article 7 on the use of any road are to continue in force for a further period after the period specified in the notice under paragraph 2, the Department shall publish a further notice specifying that further period and that paragraph shall apply to that further notice as it applies to a notice under that paragraph.
4. Where the Department publishes a notice under paragraph 2 specifying restrictions or prohibitions on the use of a road, the Department may, on those restrictions or prohibitions ceasing to be in force, publish a notice stating that the restrictions or prohibitions have ceased to be in force.
5. Where, under Article 7(7), the Department directs that a provision is to be suspended or modified, the Department shall indicate in any notice published under paragraph 2, 3 or 4 the provisions affected by that direction and shall—
 - (a) in the case of a notice published under paragraph 2 or 3, state a place^{F10} . . . where a copy of the direction may be inspected by any person free of charge at all reasonable hours during the period when the restrictions or prohibitions are in force; and

- (b) in the case of a notice published under paragraph 4, state the date on which the suspension or modification of that provision is to cease to have effect.

F10 2005 NI 14

[^{F11}SCHEDULE 3A

PROHIBITION OR RESTRICTION OF USE OF PUBLIC ROADS: SPECIAL EVENTS

F11 Sch. 3A inserted (4.9.2017) by [Roads \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2010 \(c. 14\)](#), ss. 6(3), 9(2)(b), [Sch. 1](#); S.R. 2017/34, art. 2, Sch.

Interpretation

- 1.—(1) This paragraph applies for the purposes of this Schedule.
- (2) Subject to sub-paragraph (3), a “special event” is—
- (a) any sporting event, social event or entertainment which is held on a public road; or
 - (b) the making of a film on a public road.
- And for the purpose of this paragraph “film” includes a recording on any medium from which a moving image may by any means be produced.
- (3) The following are not special events —
- (a) a public procession (within the meaning of the Public Processions (Northern Ireland) Act 1998);
 - (b) a motor race falling within the Road Races (Northern Ireland) Order 1986 (motor races on roads);
 - (c) a race or trial falling within Article 45 of the Road Traffic (Northern Ireland) Order 1995 (cycle racing on roads).
- (4) The “relevant authority”—
- (a) for a special road, is the Department;
 - (b) for any other public road, is the district council for the district in which the road is situated.
- (5) Where the special event is the making of a film, references to the holding of the event are to be read as references to the making of the film.
- (6) References to the promoter, in relation to a special event, are references to the person organising the event.
- (7) References to an order are to an order under paragraph 2.
- (8) A public road is “affected” by an order or proposed order if the order contains or would contain provisions restricting or prohibiting the use of the road.

Prohibition or restriction on public roads in connection with special events

- 2.—(1) Sub-paragraph (2) applies if the relevant authority for a public road is satisfied that—
- (a) traffic on the road should be restricted or prohibited for the purpose of—

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- (i) facilitating the holding of a special event,
 - (ii) enabling members of the public to watch a special event, or
 - (iii) reducing the disruption to traffic likely to be caused by a special event; and
- (b) it is not reasonably practicable for the event to be held otherwise than on a public road.
- (2) The relevant authority may by order restrict or prohibit temporarily the use of that road, or any part of it, by vehicles or vehicles of any class or by pedestrians, to such extent and subject to such conditions or exceptions as it may consider necessary or expedient.
- (3) An order may relate to the public road on which the special event is to be held or to any other public road.
- (4) No order shall be made with respect to any public road which would have the effect of preventing at any time access for pedestrians—
- (a) to any premises situated on or adjacent to the road, or
 - (b) to any other premises accessible for pedestrians from, and only from, the road.
- (5) An order may suspend or modify any statutory provision relating to the affected road or its use by traffic or pedestrians.
- (6) An order may contain provision —
- (a) requiring the promoter to insure against such risks in connection with the holding of the event on a public road as the relevant authority may specify;
 - (b) requiring the promoter to produce to the relevant authority such certificates as it may require as to the safety of any structures, equipment or other apparatus to be used in association with the special event;
 - (c) requiring the promoter to erect such barriers and place such signs in such places on or in the vicinity of any affected road as the relevant authority may specify;
 - (d) requiring any such barriers and signs to be erected no earlier than, and removed no later than, such times as the relevant authority may specify;
 - (e) requiring the promoter to comply with such other conditions as may be specified in the order.
- (7) A district council may not make an order except with the consent of the Department.

Procedure for making orders

- 3.—**(1) An order shall not be made except on an application made to the relevant authority by the promoter of the special event.
- (2) An application shall be in writing and give such details of the event as the relevant authority may require.
- (3) Where—
- (a) an application for an order is made to a relevant authority, and
 - (b) the relevant authority is minded to make an order,
- the relevant authority shall publish in at least one local newspaper circulating in the district in which any affected road is situated a notice complying with sub-paragraph (4).
- (4) The notice must—
- (a) identify the promoter of the special event;
 - (b) identify any affected road;

- (c) specify any restrictions or prohibitions which the relevant authority proposes to include in the order;
 - (d) specify the dates on which and times between which the restrictions or prohibitions would apply;
 - (e) specify any alternative routes for traffic or pedestrians;
 - (f) state the address where copies of the application may be inspected by any person free of charge at all reasonable times;
 - (g) state that representations in writing may be sent to the relevant authority within such period as is specified in the notice (not being less than 21 days from the date of the last publication of the notice) at such address as is so specified.
- (5) Before making an order the relevant authority must consult—
- (a) the district commander of the police district in which any affected road is situated;
 - (b) the Northern Ireland Fire and Rescue Service;
 - (c) the Northern Ireland Ambulance Service.
- (6) When considering whether to make an order, the relevant authority must—
- (a) consider any representations made in accordance with a notice published under sub-paragraph (3) and the outcome of consultations under sub-paragraph (5);
 - (b) have regard to the safety and convenience of alternative routes suitable for traffic and pedestrians affected by the order; and
 - (c) if the relevant authority is a district council, also have regard to any guidance issued by the Department under paragraph 5.

Recovery of certain costs

4 The relevant authority may recover from the promoter the whole of the costs incurred by the relevant authority in connection with or in consequence of the making of an order, including in particular the cost to the relevant authority of complying with the requirement in paragraph 3(3) to publish notices.

Guidance

- 5** The Department may issue guidance—
- (a) to district councils as to the exercise of their functions under this Schedule; and
 - (b) to promoters of events as to the procedure for making an order and as to the conduct of events in relation to which an order has been made.

Offences in relation to orders

6.—(1) A person who contravenes, or who uses or permits the use of a vehicle in contravention of, a restriction or prohibition imposed by an order is guilty of an offence.

(2) A promoter who fails to comply with any requirement imposed under paragraph 2(6) is guilty of an offence.]

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SCHEDULE 4

Articles 10(7), 13(18) and 15(7).

ORDERS UNDER ARTICLE 10, 13 OR 15

1. The Department shall comply with paragraphs 2 and 3 before making an order under Article 10, 13 or 15 unless the sole effect of the order is to vary charges or to revoke or reproduce provisions of previous orders.

2. The Department shall consult such persons as the Department considers appropriate.

3.—(1) The Department shall publish in a newspaper circulating in the^{F12} district] in which any parking place to which the order relates is situated a notice including the particulars specified in sub-paragraph (2).

(2) The particulars which the notice must contain are—

- (a) the title of the order;
- (b) a statement of the general nature and effect of the order;
- (c) the name or a brief description of the road (unless it is an off-street parking place) and the parking place to which the order will apply;
- (d) an address^{F12}. . . where a copy of the draft order and any relevant map or plan may be inspected by any person free of charge at all reasonable hours during the period mentioned in head (e); and
- (e) the period during which, and the address to which, objections or other representations may be made, and a statement that all objections or other representations must be in writing and must specify the grounds on which they are made.

(3) The period specified under sub-paragraph (2)(e) shall not be less than 21 days from the date of the publication or last publication of the notice.

(4) If the order is an order under Article 10 or 15, the Department shall, in addition to publishing a notice under sub-paragraph (1), take such other steps as appear to the Department reasonably practicable for the purpose of bringing specifically to the knowledge of the occupiers of land adjacent to the parking place the particulars specified in sub-paragraph (2).

(5) The Department shall consider any objections or other representations in respect of the draft order made within the period specified under sub-paragraph (2)(e).

F12 2005 NI 14

4. ^{F13}

F13 Sch. 4 para. 4 repealed (14.8.2010) by [Roads \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2010](#) (c. 14), ss. 8(2), 9(1), [Sch. 3](#)

5. The Department may make an order under Article 10, 13 or 15 with or without omissions and other modifications.

6. Where the Department makes an order under Article 10, 13 or 15, it shall—

- (a) notify—
 - (i) any person consulted under paragraph 2; and
 - (ii) any person who made objections or other representations in accordance with paragraph 3; and

- (b) publish in a newspaper circulating in the^{F14} district] in which any parking place to which the order relates a notice stating that the order has been made.

F14 2005 NI 14

7.—(1) Where the department makes an order under Article 13 or 15 the sole effect of which is to vary charges, the Department shall publish at least 21 days before the order comes into operation in a newspaper circulating in the^{F15} district] in which any parking place to which the order relates is situated a notice including the particulars specified in sub-paragraph (2).

(2) The particulars which the notice must contain are—

- (a) the date on which the order comes into operation;
- (b) the particulars described in paragraph 3(2)(a) to (c);
- (c) the charges payable before the order comes into operation;
- (d) the charges payable after the order comes into operation.

F15 2005 NI 14

^{F16}8 Paragraphs 1 to 7 apply in relation to orders under Article 13 made by a district council as they apply in relation to orders under that Article made by the Department, but with the substitution for references to the Department of references to the council.]

F16 Sch. 4 para. 8 inserted (1.4.2015) by [Off-street Parking \(Functions of District Councils\) Act \(Northern Ireland\) 2015 \(c. 3\)](#), art. 1(8), [Sch. para. 4\(5\)](#)

^{F17}SCHEDULE 4A

ORDERS UNDER ARTICLE 27A

F17 Sch. 4A inserted (23.11.2009) by [Taxis Act \(Northern Ireland\) 2008 \(c. 4\)](#), [ss. 21\(2\)](#), 59; S.R. 2009/352, [art. 2](#), [Sch.](#)

1 The Department shall comply with paragraphs 2 and 3 before making an order under Article 27A.

2 The Department shall consult such persons as it considers appropriate.

3.—(1) The Department shall publish a notice including the particulars specified in sub-paragraph (2).

(2) The particulars which the notice must contain are—

- (a) the title of the order;
- (b) a statement of the general nature and effect of the order;
- (c) the name or a brief description of any road or taxi stand to which the order will apply;
- (d) an address in that area where a copy of the draft order and any relevant map or plan may be inspected by any person free of charge at all reasonable hours during the period mentioned in head (e); and

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- (e) the period during which, and the address to which, objections or other representations may be made, and a statement that all objections or other representations must be in writing and must specify the grounds on which they are made.
- (3) The period specified under sub-paragraph (2)(e) shall not be less than 21 days from the date of the publication or last publication of the notice.
- (4) Publication of a notice under sub-paragraph (1) shall be in a newspaper circulating in the area in which any road to which the order relates is situated.
- (5) The Department shall consider any objections or other representations made within the period specified under sub-paragraph (2)(e).

4 ^{F18}

F18 Sch. 4A para. 4 repealed (14.8.2010) by [Roads \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2010](#) (c. 14), ss. 8(2), 9(1), [Sch. 3](#)

5 The Department may make an order under Article 27A with or without omissions and other modifications

6 When the Department makes an order under Article 27A, it shall—

- (a) notify—
 - (i) any person consulted under paragraph 2; and
 - (ii) any person who made objections or other representations in accordance with paragraph 3; and
- (b) publish in a newspaper circulating in the area in which any road to which the order relates is situated a notice stating that the order has been made.]

SCHEDULE 5

Article 36(4).

ORDERS UNDER ARTICLE 36(3)(a), 37 OR 38

- 1.** The Department shall comply with paragraphs 2 and 3 before making an order under Article 36(3)(a), 37 or 38.
- 2.** The Department shall consult such persons as it considers appropriate.
- 3.—(1)** The Department shall publish a notice including the particulars specified in sub-paragraph (2).
 - (2)** The particulars which the notice must contain are—
 - (a) the title of the order;
 - (b) a statement of the general nature and effect of the order;
 - (c) the name or a brief description of any road to which the order will apply;
 - (d) an address^{F19} . . . where a copy of the draft order and a map or plan of any road in that area to which the order relates may be inspected by any person free of charge at all reasonable hours during the period mentioned in head (e); and
 - (e) the period during which, and the address to which, objections or other representations may be made, and a statement that all objections or other representations must be in writing and must specify the grounds on which they are made.

(3) The period specified under sub-paragraph (2)(e) shall not be less than 21 days from the date of the publication or last publication of the notice.

(4) Publication of a notice under sub-paragraph (1) shall be in a newspaper circulating in the^{F19} district] in which any road to which the order relates is situated.

(5) The Department shall consider any objections or other representations made within the period specified under sub-paragraph (2)(e).

F19 2005 NI 14

4. ^{F20}

F20 Sch. 5 para. 4 repealed (14.8.2010) by Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 (c. 14), ss. 8(2), 9(1), **Sch. 3**

5. The Department may make an order under Article 36(3)(a), 37 or 38 with or without omissions and other modifications.

6. Where the Department makes an order under Article 36(3)(a), 37 or 38, it shall—

(a) notify—

(i) any person consulted under paragraph 2; and

(ii) any person who made objections or other representations in accordance with paragraph 3; and

(b) publish in a newspaper circulating in the^{F21} district] in which any road to which the order relates is situated a notice stating that the order has been made.

F21 2005 NI 14

SCHEDULE 6

Article 65(1).

INQUIRIES

1.—(1) Where the Department decides to hold an inquiry [^{F22}in connection with the making by the Department of an order or scheme under this Order], the Department shall publish—

(a) in the Belfast Gazette; and

(b) in a newspaper circulating in the^{F23} district] in which any road or other place to which the order or scheme relates is situated,

a notice including the particulars specified in sub-paragraph (2).

(2) The particulars which the notice must contain are—

(a) the title of the order or scheme;

(b) a statement that an inquiry will be held in connection with the order or scheme;

(c) the date, time and place of the inquiry and the name of the person appointed to hold it;

(d) a statement of the general nature and effect of the order or scheme;

(e) the name or a brief description of the road or other place to which the order or scheme will apply; and

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- (f) an address^{F23}. . . where a copy of the draft order or scheme and any relevant map or plan may be inspected by any person free of charge at all reasonable hours until the date specified under head (c).

F22 Words in Sch. 6 para. 1(1) substituted (14.8.2010) by [Roads \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2010 \(c. 14\), ss. 8\(1\), 9\(1\), Sch. 2 para. 6\(3\)](#)

F23 2005 NI 14

2.—(1) Subject to sub-paragraphs (2) and (3), all persons interested may appear at the inquiry either in person or by counsel, agent or solicitor.

(2) No person shall be entitled to be heard at the inquiry unless he has within one week from the last publication of the notice of the holding of the inquiry under paragraph 1 sent a notice in writing to the Department of his desire to be heard at the inquiry.

(3) The person holding the inquiry may refuse to hear any person if he is satisfied that the views of that person—

- (a) are frivolous; or
- (b) have been adequately stated by some other person.

[^{F24}**3** Where the inquiry has been held, the Department may, after considering the report of the person who held the inquiry—

- (a) determine to make the order or scheme; or
- (b) make the order or scheme either without modification or subject to such modifications as the Department thinks fit.]

F24 Sch. 6 para. 3 added (14.8.2010) by [Roads \(Miscellaneous Provisions\) Act \(Northern Ireland\) 2010 \(c. 14\), ss. 8\(1\), 9\(1\), Sch. 2 para. 6\(4\)](#)

Schedules 7, 8—Amendments

Schedule 9—Repeals

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Changes and effects yet to be applied to :

- Instrument am. (prosp.) by [1998 c. 32 s.74\(1\)](#)[Sch.4 para.23](#)