

## STATUTORY INSTRUMENTS

# 2005 No. 1964

## The Traffic Management (Northern Ireland) Order 2005

### *Penalty charges*

#### **Enforcement of charge certificate**

15.—(1) Where—

- (a) a charge certificate is served on any person (“the liable person”); and
- (b) the increased penalty charge to which it relates is not paid within 14 days,

the increased penalty charge shall be recoverable by the [<sup>F1</sup>enforcement authority] from the liable person.

(2) The [<sup>F1</sup>enforcement authority] shall serve on the liable person a notice which states—

- (a) that the increased penalty charge is recoverable from him by the [<sup>F1</sup>enforcement authority] ; and
- (b) that the liable person may serve a statutory declaration on an adjudicator under Article 16.

(3) Subject to Article 16(5), paragraph (1) shall not have effect in relation to an increased penalty charge until the later of—

- (a) the end of the period of 21 days from the date of a notice under paragraph (2) (or if an adjudicator allows a longer period for service of a statutory declaration under Article 16(1), the end of that longer period); or
- (b) if the liable person serves a statutory declaration, the date of the adjudicator's decision.

(4) Any costs reasonably incurred by the [<sup>F1</sup>enforcement authority] in recovering an amount under paragraph (1) shall be recoverable by the [<sup>F1</sup>enforcement authority ] from the liable person.

(5) The Judgments Enforcement (Northern Ireland) Order 1981 (NI 6) shall apply with the necessary modifications to any amount recoverable under this Article as it applies in relation to a sum due under a money judgment (within the meaning of that Order).

(6) In paragraph (1) “within 14 days” means before the end of the period of 14 days from the date of the charge certificate.

**F1** Words in arts. 5-28 (except arts. 8(3)(4), 18(6), 21(8), 24(1)) substituted (1.4.2015) by [Off-street Parking \(Functions of District Councils\) Act \(Northern Ireland\) 2015 \(c. 3\)](#), art. 1(8), **Sch. para. 8**

#### **Modifications etc. (not altering text)**

**C1** Arts. 3-28: transfer of functions (1.4.2015) by [Off-street Parking \(Functions of District Councils\) Act \(Northern Ireland\) 2015 \(c. 3\)](#), **arts. 1(3)(8)** (with art. 1(5))

**Changes to legislation:**

There are currently no known outstanding effects for the The Traffic Management (Northern Ireland) Order 2005, Section 15.