

---

STATUTORY INSTRUMENTS

---

**2005 No. 1964**

**The Traffic Management (Northern Ireland) Order 2005**

*Immobilisation and removal of vehicles*

**Refund of sums if representations accepted**

**26.**—(1) Where the [<sup>F1</sup>enforcement authority] serves notice under Article 25(5)(b) that it accepts that a ground has been established, it shall (when serving that notice) refund any sums—

- (a) paid under Article 20(1) or 23(3), or
- (b) deducted from the proceeds of sale under Article 23(4),

except to the extent (if any) to which those sums were properly paid.

(2) Where the [<sup>F1</sup>enforcement authority] fails to comply with Article 25(5)(b) before the end of the period of 56 days mentioned there—

- (a) the [<sup>F1</sup>enforcement authority ] shall be taken to have accepted that the ground in question has been established and to have served notice to that effect under Article 25(5)(b); and
- (b) paragraph (1) shall have effect as if it required any refund to be made immediately after the end of that period.

**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 26.