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STATUTORY INSTRUMENTS

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**1986 No. 1328**

**POLICE**

**The Functions of Traffic Wardens (Amendment) Order 1986**

*Made - - - - 29th July 1986*

*Laid before Parliament in draft.*

*Coming into Operation 1st October 1986*

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, in exercise of the powers conferred upon me by section 95(5) of the Road Traffic Regulation Act 1984, I hereby make the following Order:—

1.—(1) This Order may be cited as the Functions of Traffic Wardens (Amendment) Order 1986, and shall come into operation on 1st October 1986.

(2) This Order shall not extend to Scotland.

2. The Schedule to the Functions of Traffic Wardens Order 1970 shall be amended by substituting for sub-paragraph (2) of paragraph 1 the following sub-paragraph:—

“(2) For the purposes of the enforcement of the law with respect to such of the offences described in sub-paragraph (1) of this paragraph as are fixed penalty offences within the meaning of section 27(5) of the Transport Act 1982, other than an offence committed in respect of a vehicle by its obstructing a road or the offence created by section 24 of the Road Traffic Act 1972 (which relates to leaving vehicles in dangerous positions), traffic wardens may exercise the functions conferred on constables by Part III of the said Act of 1982.”

*Douglas Hurd*  
One of Her Majesty's Principal Secretaries of  
State  
Home Office

29th July 1986

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### EXPLANATORY NOTE

Part III of the Transport Act 1982 (c. 49) (“Part III”) makes provision for a new system of fixed penalties which comes into force on 1st October 1986 (S.I. 1986/1326. This Order makes a consequential amendment to the Schedule to the Functions of Traffic Wardens Order 1970.

That Schedule sets out the functions which are prescribed as appropriate for discharge by traffic wardens. The new sub-paragraph (2) of paragraph 1 substituted by this Order provides, with two specified exceptions, that, for the purposes of enforcing the law with respect to such parking offences etc. as are fixed penalty offences for the purposes of Part III, traffic wardens may exercise the functions conferred on constables by Part III.