



# London Local Authorities and Transport for London Act 2003

## 2003 CHAPTER iii

### PART 3

#### SUPPLEMENTARY

#### 20 Disclosure of information

- (1) Any person who, apart from this section, would not have power to disclose information obtained by a borough council or Transport for London under this Act about the identity of the owner of a vehicle to—
- (a) a borough council;
  - (b) Transport for London; or
  - (c) a person acting on behalf of a borough council or Transport for London,
- shall have power to do so in any case where the disclosure is necessary for the purposes of enforcing any provision of the enactments mentioned in subsection (2) below.
- (2) The enactments referred to in subsection (1) above are—
- (a) the Refuse Disposal (Amenity) Act [1978 \(c. 3\)](#);
  - (b) Part II (Traffic in London) of the Road Traffic Act [1991 \(c. 40\)](#);
  - (c) Part II (Bus lanes) of the [London Local Authorities Act 1996 \(c. ix\)](#); and
  - (d) sections 4 (Penalty charges for road traffic contraventions) and 5 (Contraventions of lorry ban order: supplementary) of this Act.

#### 21 Authorised officers

In this Act “authorised officer”, in relation to a borough council or Transport for London, means—

- (a) any employee of that council or body;
- (b) any person by whom, in pursuance of arrangements made with that council or body, any functions under this Act fall to be discharged; or

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(c) any employee of any such person,  
who is authorised in writing by that council or body to act in relation to the relevant provision of this Act.

## **22 Obstruction of authorised officer**

Any person who intentionally obstructs any authorised officer acting in the exercise of his powers under this Act shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

## **23 Provision of information to authorised officer of Transport for London**

(1) This section applies where an authorised officer of Transport for London has reasonable grounds for suspecting that any offence in respect of which that body may prosecute legal proceedings has been committed or attempted, or is being committed or attempted.

(2) If, on being requested by the authorised officer to furnish his name and address for service of a summons or fixed penalty notice the relevant person—

- (a) fails to furnish a name; or
- (b) furnishes a false name; or
- (c) furnishes a false address,

the relevant person shall, unless the authorised officer failed to produce his authorisation on making the request, be guilty of an offence punishable on summary conviction by a fine not exceeding level 5 on the standard scale.

(3) In this section “the relevant person” means any person who the authorised officer has reasonable grounds to suspect of having committed or having attempted to commit the offence or being in the course of committing or attempting to commit it.

## **24 Defence of due diligence**

(1) In proceedings for an offence under this Act it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(2) If in any case the defence provided under subsection (1) above involves the allegation that the commission of the offence was due to the act or default of another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless, no later than 7 clear days before the hearing, he has served on the prosecutor a notice in writing giving such information as was then in his possession identifying or assisting in the identification of that other person.

## **25 Liability of directors, etc.**

(1) Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of the offence.

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- (2) Where the affairs of the body corporate are managed by its members, subsection (1) above shall apply to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

## **26 Regulations**

- (1) Any power to make regulations conferred by this Act includes power to make provision in respect of such cases only as may be specified in the regulations and to make different provision for different circumstances.
- (2) Any power to make regulations conferred by this Act shall be exercised by statutory instrument.
- (3) Any statutory instrument made under this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.