
STATUTORY INSTRUMENTS

1993 No. 3160

The Roads (Northern Ireland) Order 1993

PART VII

LAWFUL AND UNLAWFUL INTERFERENCE WITH ROADS

Other interference with roads

Depositing of things on roads

94.—(1) Any person who deposits, or causes or permits to be deposited, building materials, rubble, rubbish, compost, dung or any other thing whatsoever on a road in such a position as to cause, or be likely to cause, any obstruction or danger, shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(2) Where—

- (a) a person deposits, or causes or permits to be deposited on a road any thing mentioned in paragraph (1); and
- (b) the Department considers that the thing in question constitutes a danger to persons using the road,

then (whether or not proceedings are instituted for an offence under that paragraph) the Department may remove the thing or take such other steps as are necessary to obviate the danger.

(3) Where—

- (a) a person is convicted of an offence under paragraph (1); and
- (b) he does not, within such period as the court may allow, remove the thing in question from the road,

the Department may itself remove that thing from the road.

(4) The Department may dispose of any thing removed by it under paragraph (2) or (3) in such manner as it thinks fit.

(5) Where any thing is disposed of by sale under paragraph (4) the expenses of removal and sale shall be defrayed out of the proceeds thereof and the balance of the proceeds (if any) shall be given to the owner if known and if not shall be applied in the same manner as is provided for with respect to fines by section 20 of the Administration of Justice Act (Northern Ireland) 1954(1).

(6) Where the Department disposes of any thing under paragraph (4)—

- (a) by sale and the proceeds are not sufficient to defray the Department's expenses; or
- (b) in some manner other than by sale,

the Department may recover from the person who deposited that thing on the road any expenses reasonably incurred by it in removing and disposing of the thing.

Status: *This is the original version (as it was originally made).*
