

SCHEDULES

SCHEDULE 1

Article 4(6).

TRAFFIC REGULATION ORDERS

1.—(1) The Department shall comply with paragraphs 2 and 3 before making a traffic regulation order, unless the sole effect of the order is to reproduce provisions of previous traffic regulation orders or to reproduce and continue indefinitely provisions of an experimental traffic control scheme which has been in force for at least six months.

(2) Sub-paragraph (1) shall not require the Department to comply with paragraphs 2 and 3 in respect of provisions of a traffic regulation order which reproduce provisions in respect of which the Department has already complied with those paragraphs but has not made a traffic regulation order including them.

2. The Department shall consult such persons as the Department considers appropriate.

3.—(1) The Department shall publish a notice including the particulars specified in sub-paragraph (2).

(2) The particulars which the notice must contain are—

- (a) the title of the order;
- (b) a statement of the general nature and effect of the order;
- (c) the name or a brief description of any road to which the order will
- (d) an address in that area where a copy of the draft provision and any relevant map or plan may be inspected by any person free of charge at all reasonable hours during the period mentioned in head (e); and
- (e) the period during which, and the address to which, objections or other representations may be made, and a statement that all objections or other representations must be in writing and must specify the grounds on which they are made.

(3) The period specified under sub-paragraph (2)(e) shall not be less than 21 days from the date of the publication or last publication of the notice.

(4) The Department shall consider any objections or other representations in respect of the draft order made within the period specified under sub-paragraph (2)(e).

(5) Publication of a notice under sub-paragraph (1) in respect of a road shall be in a newspaper circulating in the area in which the road is situated.

4. Before making a traffic regulation order, the Department may hold a public inquiry.

5. The Department may make a traffic regulation order with or without omissions and other modifications.

6.—(1) Where the Department makes a traffic regulation order, it shall—

- (a) notify—
 - (i) any person consulted under paragraph 2; and

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- (ii) any person who made objections or other representations in accordance with paragraph 3; and
 - (b) publish in a newspaper circulating in the area in which any road to which the order relates is situated a notice stating that the order has been made.
- (2) Where the Department makes a traffic regulation order which includes provisions in respect of which by virtue of paragraph 1(2) the Department has not complied with paragraphs 2 and 3, the Department shall also notify any person who was originally consulted under paragraph 2 or who originally made objections or other representations in accordance with paragraph 3.

SCHEDULE 2

Article 5(10).

EXPERIMENTAL TRAFFIC CONTROL SCHEMES

1. In this Schedule—
 - (a) “scheme” means an experimental traffic control scheme; and
 - (b) references to making a scheme do not include references to making a scheme the sole effect of which is to revoke another scheme.
2. The Department shall comply with paragraphs 3 and 4 before making a scheme.
3. The Department shall consult such persons as the Department considers appropriate.
- 4.—(1) The Department shall publish in a newspaper circulating in the area in which any road to which the scheme relates is situated a notice including the particulars specified in sub-paragraph (2).
 - (2) The particulars which the notice must contain are—
 - (a) the title of the scheme;
 - (b) a statement of the general nature and effect of the scheme;
 - (c) the name or a brief description of the road to which the scheme will apply;
 - (d) an address in that area where a copy of the draft scheme and any relevant map or plan may be inspected by any person free of charge at all reasonable hours during the period mentioned in head (e); and
 - (e) the period during which, and the address to which, objections or other representations may be made, and a statement that all objections or other representations must be in writing and must specify the grounds on which they are made.
 - (3) The period specified under sub-paragraph (2)(e) shall not be less than 21 days from the date of the publication or last publication of the notice.
 - (4) The Department shall consider any objections or other representations in respect of the draft scheme made within the period specified under sub-paragraph (2)(e).
5. Before making a scheme, the Department may hold a public inquiry.
6. The Department may make a scheme with or without omissions and other modifications.
- 7.—(1) Where the Department makes a scheme, it shall—
 - (a) notify—
 - (i) any person consulted under paragraph 3; and
 - (ii) any person who made objections or other representations in accordance with paragraph 4; and

- (b) publish—
 - (i) in the Belfast Gazette; and
 - (ii) in a newspaper circulating in the area in which any road to which the scheme relates is situated,

a notice stating that the scheme has been made.

- (2) The notice published under sub-paragraph (1)(b) shall include the following statements—
 - (a) that the Department will consider in due course whether the provisions of the scheme should be continued in force indefinitely;
 - (b) that within the period of six months from the commencement of the scheme any person may object to the making of a traffic regulation order for the purpose of continuing the provisions of the scheme in force indefinitely;
 - (c) that any such objection must be in writing, must give the grounds on which it is made and must be made to the address specified in the notice; and
 - (d) that a copy of the scheme and any relevant map or plan may be inspected by any person free of charge at all reasonable hours during the period mentioned in sub-paragraph (b) at the address mentioned in sub-paragraph (c).

8. Paragraph 7 shall have effect in relation to the making of a scheme the sole effect of which is to revoke another scheme as if sub-paragraphs (1)(a) and (2) were omitted.

9. Where under Article 5(5) the Department directs that a scheme shall continue in force, the Department shall publish in the Belfast Gazette and in a newspaper circulating in the area in which any road to which the scheme relates is situated a notice stating the period for which the scheme is to continue in force.

10.—(1) Where under Article 5(8) the Department directs in a scheme that a provision is to be suspended or modified, a notice under paragraph 7(1)(b) shall indicate the provision affected by the direction and its nature, and shall—

- (a) in the case of the making or amendment of a scheme, state the period for which the suspension or modification is to have effect; or
- (b) in the case of the revocation of a scheme, state the date on which the suspension or modification is to cease to have effect.

(2) Where, except as provided by sub-paragraph (1), under Article 5(8) the Department directs that a provision is to be suspended or modified, the Department shall publish in the Belfast Gazette and in a newspaper circulating in the area in which any road to which the provision relates is situated a notice—

- (a) indicating the provision affected by the direction and its nature; and
- (b) stating the period for which the suspension or modification is to have effect.

SCHEDULE 3

Article 7(10)

TEMPORARY TRAFFIC REGULATION

1. Where the Department imposes or proposes to impose restrictions or prohibitions under Article 7 on the use of any road, the Department shall comply with paragraph 2 unless it is satisfied that the restrictions or prohibitions are unlikely to remain in force for more than two weeks.

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2. The Department shall publish in a newspaper circulating in the area in which the road is situated, a notice specifying—

- (a) the restrictions or prohibitions imposed or to be imposed on the use of the road;
- (b) the period during which such restrictions or prohibitions are likely to be in force; and
- (c) where appropriate, an alternative route or routes available for traffic.

3. Where any restrictions or prohibitions imposed under Article 7 on the use of any road are to continue in force for a further period after the period specified in the notice under paragraph 2, the Department shall publish a further notice specifying that further period and that paragraph shall apply to that further notice as it applies to a notice under that paragraph.

4. Where the Department publishes a notice under paragraph 2 specifying restrictions or prohibitions on the use of a road, the Department may, on those restrictions or prohibitions ceasing to be in force, publish a notice stating that the restrictions or prohibitions have ceased to be in force.

5. Where, under Article 7(7), the Department directs that a provision is to be suspended or modified, the Department shall indicate in any notice published under paragraph 2, 3 or 4 the provisions affected by that direction and shall—

- (a) in the case of a notice published under paragraph 2 or 3, state a place in the area where a copy of the direction may be inspected by any person free of charge at all reasonable hours during the period when the restrictions or prohibitions are in force; and
- (b) in the case of a notice published under paragraph 4, state the date on which the suspension or modification of that provision is to cease to have effect.

SCHEDULE 4

Articles 10(7), 13(18) and 15(7).

ORDERS UNDER ARTICLE 10, 13 OR 15

1. The Department shall comply with paragraphs 2 and 3 before making an order under Article 10, 13 or 15 unless the sole effect of the order is to vary charges or to revoke or reproduce provisions of previous orders.

2. The Department shall consult such persons as the Department considers appropriate.

3.—(1) The Department shall publish in a newspaper circulating in the area in which any parking place to which the order relates is situated a notice including the particulars specified in sub-paragraph (2).

(2) The particulars which the notice must contain are—

- (a) the title of the order;
- (b) a statement of the general nature and effect of the order;
- (c) the name or a brief description of the road (unless it is an off-street parking place) and the parking place to which the order will apply;
- (d) an address in that area where a copy of the draft order and any relevant map or plan may be inspected by any person free of charge at all reasonable hours during the period mentioned in head (e); and
- (e) the period during which, and the address to which, objections or other representations may be made, and a statement that all objections or other representations must be in writing and must specify the grounds on which they are made.

(3) The period specified under sub-paragraph (2)(e) shall not be less than 21 days from the date of the publication or last publication of the notice.

(4) If the order is an order under Article 10 or 15, the Department shall, in addition to publishing a notice under sub-paragraph (1), take such other steps as appear to the Department reasonably practicable for the purpose of bringing specifically to the knowledge of the occupiers of land adjacent to the parking place the particulars specified in sub-paragraph (2).

(5) The Department shall consider any objections or other representations in respect of the draft order made within the period specified under sub-paragraph (2)(e).

4. Before making an order under Article 10, 13 or 15, the Department may hold a public inquiry unless the sole effect of the order is to vary charges.

5. The Department may make an order under Article 10, 13 or 15 with or without omissions and other modifications.

6. Where the Department makes an order under Article 10, 13 or 15, it shall—

(a) notify—

(i) any person consulted under paragraph 2; and

(ii) any person who made objections or other representations in accordance with paragraph 3; and

(b) publish in a newspaper circulating in the area in which any parking place to which the order relates a notice stating that the order has been made.

7.—(1) Where the department makes an order under Article 13 or 15 the sole effect of which is to vary charges, the Department shall publish at least 21 days before the order comes into operation in a newspaper circulating in the area in which any parking place to which the order relates is situated a notice including the particulars specified in sub-paragraph (2).

(2) The particulars which the notice must contain are—

(a) the date on which the order comes into operation;

(b) the particulars described in paragraph 3(2)(a) to (c);

(c) the charges payable before the order comes into operation;

(d) the charges payable after the order comes into operation.

SCHEDULE 5

Article 36(4).

ORDERS UNDER ARTICLE 36(3)(a), 37 OR 38

1. The Department shall comply with paragraphs 2 and 3 before making an order under Article 36(3)(a), 37 or 38.

2. The Department shall consult such persons as it considers appropriate.

3.—(1) The Department shall publish a notice including the particulars specified in sub-paragraph (2).

(2) The particulars which the notice must contain are—

(a) the title of the order;

(b) a statement of the general nature and effect of the order;

(c) the name or a brief description of any road to which the order will apply;

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- (d) an address in that area where a copy of the draft order and a map or plan of any road in that area to which the order relates may be inspected by any person free of charge at all reasonable hours during the period mentioned in head (e); and
 - (e) the period during which, and the address to which, objections or other representations may be made, and a statement that all objections or other representations must be in writing and must specify the grounds on which they are made.
- (3) The period specified under sub-paragraph (2)(e) shall not be less than 21 days from the date of the publication or last publication of the notice.
- (4) Publication of a notice under sub-paragraph (1) shall be in a newspaper circulating in the area in which any road to which the order relates is situated.
- (5) The Department shall consider any objections or other representations made within the period specified under sub-paragraph (2)(e).
4. Before making an order under Article 36(3)(a), 37 or 38, the Department may hold a public inquiry.
5. The Department may make an order under Article 36(3)(a), 37 or 38 with or without omissions and other modifications.
6. Where the Department makes an order under Article 36(3)(a), 37 or 38, it shall—
- (a) notify—
 - (i) any person consulted under paragraph 2; and
 - (ii) any person who made objections or other representations in accordance with paragraph 3; and
 - (b) publish in a newspaper circulating in the area in which any road to which the order relates is situated a notice stating that the order has been made.

SCHEDULE 6

Article 65(1).

INQUIRIES

- 1.—(1) Where the Department decides to hold an inquiry under this Order, the Department shall publish—
- (a) in the Belfast Gazette; and
 - (b) in a newspaper circulating in the area in which any road or other place to which the order or scheme relates is situated,
- a notice including the particulars specified in sub-paragraph (2).
- (2) The particulars which the notice must contain are—
- (a) the title of the order or scheme;
 - (b) a statement that an inquiry will be held in connection with the order or scheme;
 - (c) the date, time and place of the inquiry and the name of the person appointed to hold it;
 - (d) a statement of the general nature and effect of the order or scheme;
 - (e) the name or a brief description of the road or other place to which the order or scheme will apply; and

- (f) an address in that area where a copy of the draft order or scheme and any relevant map or plan may be inspected by any person free of charge at all reasonable hours until the date specified under head (c).

2.—(1) Subject to sub-paragraphs (2) and (3), all persons interested may appear at the inquiry either in person or by counsel, agent or solicitor.

(2) No person shall be entitled to be heard at the inquiry unless he has within one week from the last publication of the notice of the holding of the inquiry under paragraph 1 sent a notice in writing to the Department of his desire to be heard at the inquiry.

(3) The person holding the inquiry may refuse to hear any person if he is satisfied that the views of that person—

- (a) are frivolous; or
- (b) have been adequately stated by some other person.

SCHEDULE 7

Article 61(5).

ENTRIES TO BE INSERTED IN PART I OF SCHEDULE 1 TO THE ROAD TRAFFIC OFFENDERS (NORTHERN IRELAND) ORDER 1996

(1) Provision creating offence	(2) General nature of offence	(3) Mode of prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty points
<i>Offence under the Order of 1995</i>						
Article 50	Contravention of traffic signs.	Summarily.	Level 3 on the standard scale.	Discretionary if committed in respect of a motor vehicle by failure to comply with an indication given by a sign specified for the purposes of this entry in regulations under Article 50(5) of the Order of 1995.	Obligatory if committed as described in column 5.	

Offences under the Road Tram Regulation (Northern Ireland) Order 1997

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(1) Provision creating offence	(2) General nature of offence	(3) Mode of prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty points
Article 3	Contravention of rule of road or overtaking incorrectly.	Summarily.	Level 3 on the standard scale.			
Article 4	Contravention of traffic regulation order.	Summarily.	Level 3 on the standard scale.			
Article 5	Contravention of experimental traffic control scheme.	Summarily.	Level 3 on the standard scale.			
Article 7	Contravention of temporary prohibition or restriction.	Summarily.	Level 3 on the standard scale.			
Article 8	Contravention of general traffic regulations.	Summarily.	Level 3 on the standard scale.			
Article 14(1)	Contravention of order as to use of parking place.	Summarily.	(a) Level 3 on the standard scale in the case of an offence committed by a person in a street parking place			

(1) Provision creating offence	(2) General nature of offence	(3) Mode of prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty points
				reserved for disabled persons' vehicles or in an off- street parking place reserved for such vehicles where that person would not have been guilty of that offence if the motor vehicle in respect of which it was committed had been a disabled person's vehicle.		
			(b) Level 2 on the			

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(1) Provision creating offence	(2) General nature of offence	(3) Mode of prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty points
				standard scale in any other case.		
Article 14(2)	Misuse of apparatus for collecting charges or of parking device or connected apparatus.	Summarily.	Level 3 on the standard scale.			
Article 14(9)	Failure to give information as to identity of driver.	Summarily.	Level 3 on the standard scale.			
Article 19(1)	Certain contraventions of order relating to designated parking place by driver.	Summarily.	(a) Level 3 on the standard scale in the case of an offence committed by a person in a street parking place reserved for disabled persons' vehicles			

(1) Provision creating offence	(2) General nature of offence	(3) Mode of prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty points
Article 19(3)	Other contraventions of order relating to designated parking place by driver or person.	Summarily.	Level 2 on the standard scale.	<p>where that person would not have been guilty of that offence if the motor vehicle in respect of which it was committed had been a disabled person's vehicle.</p> <p>(b) Level 2 on the standard scale in any other case.</p>		

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(1) Provision creating offence	(2) General nature of offence	(3) Mode of prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty points
Article 19(4)	Tampering with parking meter.	Summarily.	Level 3 on the standard scale.			
Article 22	Interference with parking devices or apparatus.	Summarily.	Level 2 on the standard scale.			
Article 23	Mishandling or faking parking devices, etc.	(a) (aj)h	Summarily. statutory maximum.			
		(b) On indictment.	(2) years or a fine not both.			
Article 24	Public service vehicle plying for hire in parking place.	Summarily.	Level 2 on the standard scale.			
Article 30	Contravention relating to prescribed warning devices.	Summarily.	Level 3 on the standard scale.			
Article 31	Failure to provide signs or devices warning of road works.	Summarily.	Level 3 on the standard scale.			
Article 33	Interference with, or damage to, traffic signs.	Summarily.	Level 3 on the standard scale.			
Article 34(1)	Placing unauthorised traffic sign. etc.	Summarily.	Level 3 on the standard scale.			
Article 34(4)	Obstructing removal of	Summarily.	Level 3 on the standard scale.			

(1) Provision creating offence	(2) General nature of offence	(3) Mode of prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty points
	traffic sign, etc.					
Article 43	Contravening speed limit.	Summarily.	Level 3 on the standard scale.	Discretionary if committed by exceeding a speed limit.	Obligatory if committed as described in column 5.	3-6 if as described in column 5.
Article 50	Obstructing removal of vehicle.	Summarily.	Level 3 on the standard scale.			
Article 56	Wrongful use of disabled person's badge.	Summarily.	Level 3 on the standard scale.			
Article 57	Failure to produce disabled person's badge.	Summarily.	Level 3 on the standard scale.			
Article 59	Contravention of regulations relating to pedestrian crossings.	Summarily.	Level 3 on the standard scale.	Discretionary if committed in respect of a motor vehicle.	Obligatory if committed in respect of a motor vehicle.	3
Article 60	Failure to stop at school crossing	Summarily.	Level 3 on the standard scale.	Discretionary if committed in respect of a motor vehicle.	Obligatory if committed in respect of a motor vehicle.	3
Article 61(3)	Continuing contravention of order as to use of parking place.	Summarily.	One-tenth of the amount applicable for an offence under Article 14(1) for each day on which the contravention continues.			

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(1) Provision creating offence	(2) General nature of offence	(3) Mode of prosecution	(4) Punishment	(5) Disqualification	(6) Endorsement	(7) Penalty points
Article 66	Contravention of notice relating to use of vehicle on bridge.	Summarily.	Level 3 on the standard scale.			

SCHEDULE 8

Article 75(1).

AMENDMENTS

The Transport Act (Northern Ireland) 1967 (c. 37)

1. In section 66 (safety arrangements at level crossings)—
 - (a) in subsection (3)(iii), for “Article 122 of the Road Traffic (Northern Ireland) Order 1981” substitute “Article 58 of the Road Traffic Regulation (Northern Ireland) Order 1997”;
 - (b) in subsection (9), in the definition of “traffic sign”, for “Road Traffic (Northern Ireland) Order 1981” substitute “Road Traffic Regulation (Northern Ireland) Order 1997”.

The Land Acquisition and Compensation (Northern Ireland) Order 1973 (NI 21)

2. In Article 22(7) (sound-proofing of buildings affected by public works), for “Part III of the Road Traffic (Northern Ireland) Order 1981” substitute “Part III of the Road Traffic Regulation (Northern Ireland) Order 1997”.

The Chronically Sick and Disabled Persons (Northern Ireland) Act 1978 (c. 53)

3. In section 14(1)(b), for “Article 21 or 107 of the Road Traffic (Northern Ireland) Order 1981” substitute “Article 4 or 15 of the Road Traffic Regulation (Northern Ireland) Order 1997”.

The Road Traffic (Northern Ireland) Order 1981 (NI 1)

4. In Article 2(2) (interpretation), in the definition of “the Road Traffic Orders”—
 - (a) omit “and”; and
 - (b) after “1995” add “and the Road Traffic Regulation (Northern Ireland) Order 1997”.
5. In Article 120 (employment of traffic wardens for purposes of certain Articles), for “Article 118(1)” substitute “Article 44(1) of the Road Traffic Regulation (Northern Ireland) Order 1997”.
- 6.—(1) In Article 177 (identification of drivers or owners of, and passengers in, vehicles), after “under” where it first occurs insert “section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978 or”.
 - (2) In paragraph (2) of that Article (inserted by paragraph 20(2) of Schedule 3 to the Road Traffic Offenders (Northern Ireland) Order 1996),—
 - (a) at the end of sub-paragraph (c) omit “and”; and

(b) at the end of sub-paragraph (d) add

“and

(e) an offence under section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978.”.

7. In Article 198(1) (offences to which Articles 199 to 204 apply)—

(a) in sub-paragraph (c), for “107” substitute “15 of the Road Traffic Regulation (Northern Ireland) Order 1997”;

(b) in sub-paragraph (e), after “III” insert “of the Road Traffic Regulation (Northern Ireland) Order 1997”.

8. In Article 214(1) (application to the Crown), after “regulation” insert “or order”.

The Planning (Northern Ireland) Order 1991 (NI 11)

9. In Article 100 (orders extinguishing right to use vehicle on road), in paragraphs (5) and (9), for “Road Traffic (Northern Ireland) Order 1981” substitute “Road Traffic Regulation (Northern Ireland) Order 1997”.

The Electricity (Northern Ireland) Order 1992 (NI 1)

10. In Schedule 4 (other powers, etc., of licence holders), in paragraph 2(9), for “Article 124 of the Road Traffic (Northern Ireland) Order 1981” substitute “Article 31 of the Road Traffic Regulation (Northern Ireland) Order 1997”.

The Roads (Northern Ireland) Order 1993 (NI 15)

11. In Article 5(1)(e) (diversion of navigable watercourses), for “Article 104(1) of the Road Traffic Order” substitute “Article 10 of the Road Traffic Regulation (Northern Ireland) Order 1997”.

12. In Article 24(2)(b) (exercise of road functions by concessionaire), for “Orders 1981 and 1995” substitute “Order 1995 and the Road Traffic Regulation (Northern Ireland) Order 1997”.

13. In Article 25 (provisions as to traffic regulation)—

(a) in paragraph (1) for “Road Traffic Order” substitute “Road Traffic Regulation (Northern Ireland) Order 1997 (in this Article referred to as “the Regulation Order”)”;

(b) in paragraph (2), for “Road Traffic Order” substitute “Regulation Order”;

(c) in paragraph (3), for “Road Traffic Order” substitute “Regulation Order”;

(d) in paragraph (4), for “Article 24 or 25 of the Road Traffic Order” substitute “Article 7 of the Regulation Order”;

(e) in paragraph (5), for “Articles 24, 25 and 26 of the Road Traffic Order” substitute “Article 7 of, and Schedule 3 to, the Regulation Order”;

(f) in paragraph (7), for “Article 24 or 25 of the Road Traffic Order” substitute “Article 7 of the Regulation Order”.

14. In Article 65(6) (road humps and other traffic calming works), in the definition of “motor vehicle”, for “Road Traffic Order” substitute “Road Traffic Regulation (Northern Ireland) Order 1997”.

15. In Article 110(2)(b)(iii) (acquisition of land), for “Article 104(1) of the Road Traffic Order” substitute “Article 10 of the Road Traffic Regulation (Northern Ireland) Order 1997”.

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The Litter (Northern Ireland) Order 1994 (NI 10)

16. In Article 8 (roads: supplementary provisions)—

- (a) in paragraph (2), for “Article 24(1) or 25(1) of the Road Traffic (Northern Ireland) Order 1981 (temporary prohibition or restriction of traffic)” substitute “Article 7 of the Road Traffic Regulation (Northern Ireland) Order 1997 (temporary traffic regulation)”;
- (b) in paragraph (5) for “Road Traffic (Northern Ireland) Order 1981” substitute “Road Traffic Regulation (Northern Ireland) Order 1997”;
- (c) in paragraph (10), for the words from “has the meaning” to the end substitute “, “parking place” and “traffic sign” have the same meanings as in the Road Traffic Regulation (Northern Ireland) Order 1997”.

The Road Traffic (Northern Ireland) Order 1995 (NI 18)

17. In Article 2(2) (interpretation)—

- (a) in the definition of “the Road Traffic Orders”, for “and the Order of 1981” substitute “the Order of 1981 and the Road Traffic Regulation (Northern Ireland) Order 1997”;
- (b) in the definition of “traffic sign”, for the words from “means” to the end substitute “has the meaning assigned to it by Article 28 of the Road Traffic Regulation (Northern Ireland) Order 1997”.

18. For Article 49 (contravention of traffic directions or traffic signs) substitute the following Article—

“Contravention of directions

49.—(1) If a person, without reasonable excuse, contravenes a direction given by a constable in uniform carrying out functions under the Road Traffic Orders, he is guilty of an offence.

(2) A constable in uniform giving a direction for the purposes of a traffic survey of any description which is carried out on or in the vicinity of a road shall be deemed for the purposes of paragraph (1) to be carrying out functions under the Orders referred to in paragraph (1).

(3) The power to give a direction for the purposes of a traffic survey shall be so exercised as not to cause any unreasonable delay to a person who indicates that he is unwilling to furnish any information for the purposes of the survey.

(4) In paragraphs (2) and (3) “direction” means a direction—

- (a) to stop a vehicle;
- (b) to make it proceed in, or keep to, a particular line of traffic; or
- (c) to make it proceed to a particular point on or near the road on which the vehicle is being driven or propelled,

but does not include a direction requiring any person to furnish any information for the purposes of a traffic survey.”.

19. For Article 50 (traffic directions for purposes of traffic surveys) substitute the following Article—

“Contravention of traffic signs

50.—(1) If a person, without reasonable excuse, contravenes an indication given by a traffic sign which is—

- (a) of the prescribed size, colour and type, or
- (b) of another character authorised by the Department under Article 28 of the Road Traffic Regulation (Northern Ireland) Order 1997,

and which has been lawfully placed on or near a road, except where that indication is at variance with an indication given by a constable in uniform, he is guilty of an offence.

(2) A traffic sign shall not be treated for the purposes of this Article as having been lawfully placed unless either—

- (a) the indication given by the sign is an indication of a statutory prohibition, restriction or requirement, or
- (b) it is expressly provided by or under any provision of the Road Traffic Orders that this Article shall apply to the sign or to signs of a type of which the sign is one;

and, where the indication mentioned in sub-paragraph (a) is of the general nature only of the prohibition, restriction or requirement to which the sign relates, a person shall not be convicted of failure to comply with the indication unless he has failed to comply with the prohibition, restriction or requirement to which the sign relates.

(3) For the purposes of this Article a traffic sign placed on or near a road shall be deemed—

- (a) to be of the prescribed size, colour and type, or of another character authorised by the Department under Article 28 of the Road Traffic Regulation (Northern Ireland) Order 1997, and
- (b) (subject to paragraph (2)) to have been lawfully so placed,

unless the contrary is proved.

(4) Where a traffic survey of any description is carried out on or in the vicinity of a road, this Article applies to a traffic sign by which a direction (as defined in Article 49(4)) is given for the purposes of the survey.

(5) The Department may make regulations specifying any traffic sign for the purposes of column (5) of the entry in Schedule 1 to the Offenders Order relating to offences under this Article (offences committed by contravention of certain traffic signs involve discretionary disqualification).”.

20. In Article 76 (inspection of public passenger vehicles and goods vehicles), after paragraph (6) there shall be added the following paragraphs—

“(7) A vehicle examiner or member of the Royal Ulster Constabulary may place traffic signs on or near a road for the purposes of this Article.

(8) Article 50 shall apply to traffic signs placed under paragraph (7) and the power to place traffic signs conferred by that paragraph includes power to place them on a vehicle used by the Department or for police purposes.”.

The Street Works (Northern Ireland) Order 1995 (NI 19)

21. In Article 2(2) (general interpretation), in the definition of “traffic” and “traffic sign”, for “Road Traffic (Northern Ireland) Order 1981” substitute “Road Traffic Regulation (Northern Ireland) Order 1997”.

22. In Article 5(1)(b) (works for road purposes), for “65” substitute “65A”.

23. In Article 36(1) (liability for cost of temporary traffic regulation), for “Article 25 of the Road Traffic (Northern Ireland) Order 1981” substitute “Article 7 of the Road Traffic Regulation (Northern Ireland) Order 1997”.

The Road Traffic Offenders (Northern Ireland) Order 1996 (NI 10)

24. In Article 2(2) (interpretation), in the definition of “the Road Traffic Orders”, for “and this Order” substitute “this Order and the Road Traffic Regulation (Northern Ireland) Order 1997”.

25. In Article 5(4) (requirement of warning etc. of prosecutions for certain offences)—

- (a) in sub-paragraph (a), for the words from “either” to the end substitute “Article 43 of the Road Traffic Regulation (Northern Ireland) Order 1997 (contravening speed limit)”;
- (b) in sub-paragraph (b)(vi), after “49” insert “or 50”;
- (c) in sub-paragraph (c), for “Order of 1981” substitute “Road Traffic Regulation (Northern Ireland) Order 1997”.

26. In Article 15(a) (proof in summary proceedings of identity of driver of vehicle), after “Article 177 of that Order” insert “or Article 14(8) of the Road Traffic Regulation (Northern Ireland) Order 1997”.

27. In Article 23(2) (speeding offences etc.: admissibility of certain evidence)—

- (a) for the words from “Article 155” in sub-paragraph (a) to the end of sub-paragraph (b) substitute “Article 43 of the Road Traffic Regulation (Northern Ireland) Order 1997 (contravening speed limit)”;
- (b) in sub-paragraph (c), for “49” substitute “50”.

28. In Article 90(1) (functions of traffic wardens), for “Article 118 of the Order of 1981” substitute “Article 44 of the Road Traffic Regulation (Northern Ireland) Order 1997”.

29. In Part I of Schedule 1 (prosecution and punishment of offences) in the entry relating to offences under Article 49 of the Order of 1995, for the entry in column (2) substitute “Contravention of directions”.

SCHEDULE 9

Article 75(2).

REPEALS

Chapter or Number	Title	Extent of repeal
1978 c. 53.	The Chronically Sick and Disabled Persons (Northern Ireland) Act 1978.	In section 14— (a) in subsection (4) the words from “and any badge” to the end; (b) in subsection (5) the words from “and in the case” to the end.
1981 NI 1.	The Road Traffic (Northern Ireland) Order 1981.	In Article 2(2), the definitions of “bridge authority”, “disabled person’s vehicle”, “parking attendant”, “public road” and “traffic sign”. Articles 20 to 26. Article 27. Articles 50 to 52.

Chapter or Number	Title	Extent of repeal
		Articles 104 to 119.
		Articles 121 to 128.
		Articles 155 to 157.
		Article 171(2) to (6).
		Article 174A.
		Article 187.
		Articles 209 and 210.
		In Article 212(3), the words from “Article 24” to “speed of motor vehicles” and “155, 157” and “171”.
		In Article 215—
		(a) in paragraph (1) the words “and by Article 216”;
		(b) in paragraph (2), subparagraphs (e) and (g).
		Article 216.
		In Schedule 4 the entries relating to Articles 20 to 25, 105(3A), 115(1), 115(3), 116 to 127, 155 to 157, 171(4), 174A and 209.
		In Schedule 6, paragraph 4.
		In Schedule 7, paragraphs 17 and 21(a) and (c).
1982 NI 18.	The Disabled Persons (Northern Ireland) Order 1982.	Article 4.
1984 NI 15.	The Road Traffic, Transport and Roads (Northern Ireland) Order 1984.	Article 3.
		In Schedule 1, paragraphs 1 to 6, 8 and 9.
1991 NI 11.	The Planning (Northern Ireland) Order 1991.	In Schedule 5, the amendment of the Road Traffic (Northern Ireland) Order 1981.
1993 NI 15.	The Roads (Northern Ireland) Order 1993.	Article 132.
1995 NI 18.	The Road Traffic (Northern Ireland) Order 1995.	Article 93.

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

Chapter or Number	Title	Extent of repeal
		In Article 109(1), the words “and by Article 216 of the Order of 1981”.
		In Schedule 3, paragraphs 10(b), 12(b) and 22.
1995 NI 19.	The Street Works (Northern Ireland) Order 1995.	In Schedule 3, paragraph 8.
1996 NI 10.	The Road Traffic Offenders (Northern Ireland) Order 1996.	In Schedule 1— <ul style="list-style-type: none"> (a) the entries relating to offences under Articles 20 to 22, 105(3A), 115 to 127, 155, 156, 171(4), 174A and 209 of the Order of 1981; (b) in the entry relating to offences under Article 49 of the Order of 1995, in column (5) the words from “by failure” to the end; (c) in Part II, the three entries beginning “Contravention”.
		In Schedule 3, paragraphs 13,31 and 33.
		In Schedule 4, the entries relating to Article 157(1) of the Road Traffic (Northern Ireland) Order 1981 and Article 4(1)(e) of the Disabled Persons (Northern Ireland) Order 1982.
1997 NI 2	The Road Traffic Regulation (Northern Ireland) Order 1997.	Article 61(1), (2) and (4).