
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Civil Enforcement of Road Traffic Contraventions
(Representations and Appeals) (England) Regulations 2022

PART 2

Information, representations and appeals in relation
to penalty charge notices or enforcement notices

CHAPTER 1

Information to be included in regulation 9 penalty charge notices and enforcement notices

**Information about right to make representations or appeal to be included in regulation 9
penalty charge notices and enforcement notices**

- 3.—(1) A regulation 9 penalty charge notice must include the following information—
- (a) that a person on whom a notice to owner is served may, in accordance with these Regulations, make representations to the enforcement authority against the penalty charge and, if those representations are rejected, appeal to an adjudicator;
 - (b) that if, before a notice to owner is served, representations against the penalty charge are received at such address as may be specified in the notice for the purpose those representations will be considered by the enforcement authority;
 - (c) that if a notice to owner is served despite the representations mentioned in subparagraph (b), representations against the penalty charge must be made to the enforcement authority in the form and manner and at the time specified in the notice to owner.
- (2) An enforcement notice must include the following information—
- (a) that—
 - (i) the recipient may make representations against the penalty charge in accordance with regulation 5 of these Regulations, but
 - (ii) any such representations made outside the period of 28 days beginning with the date on which the notice is served (“the payment period”) may be disregarded;
 - (b) the nature of the representations which may be made under regulation 5;
 - (c) the form in which representations must be made;
 - (d) the address to which representations must be sent, including, as appropriate—
 - (i) an email address,
 - (ii) a FAX telephone number,
 - (iii) the address of any website where representations may be submitted online (and the place on that website where the relevant facility may be accessed),as well as a postal address;

- (e) that the recipient may appeal to an adjudicator against any decision of the enforcement authority not to accept representations which are made—
 - (i) within the payment period, or
 - (ii) outside that period but not disregarded by the authority;
 - (f) the form and manner in which an appeal may be made;
 - (g) where the enforcement notice is a regulation 10 penalty charge notice served under regulation 10(2)(a) of the 2022 General Regulations (an “approved device notice”), the effect of paragraphs (3) and (4).
- (3) The recipient (“R”) of an approved device notice may, by notice in writing, request that the enforcement authority—
- (a) makes available, at one of its offices specified by R, free of charge and at a time during normal office hours so specified, for viewing by R or R’s representative the record of the alleged relevant road traffic contravention produced by the approved device pursuant to which the penalty charge was imposed, or
 - (b) provides R, free of charge, with such still images from that record as, in the authority’s opinion, establish the alleged relevant road traffic contravention.
- (4) The enforcement authority must comply with any request under paragraph (3) within a reasonable time.