



# London Local Authorities and Transport for London Act 2003

## 2003 CHAPTER iii

### PART 2

#### ROAD TRAFFIC AND HIGHWAYS

##### *Parking*

#### **15 Penalty charges under Road Traffic Act 1991: statutory declarations**

(1) Paragraph 8 of Schedule 6 to the Road Traffic Act 1991 applies as follows insofar as it relates to matters arising from the issuing of a penalty charge notice under section 66 (Parking penalties in London) of that Act by a parking attendant employed by—

- (a) a borough council or Transport for London; or
- (b) any person with whom a borough council or Transport for London have made arrangements for the purposes of section 63A (Parking attendants) of the Act of 1984.

(2) After sub-paragraph (2) the following sub-paragraphs are inserted—

“(2A) A statutory declaration under this paragraph is invalid and sub-paragraph (5) below shall not apply in relation to the declaration if one or more of the following grounds is met—

- (a) the person who made the declaration claims that more than one of the grounds mentioned in sub-paragraph (2) above is met;
- (b) the declaration is not signed by any person purporting to make it;
- (c) the declaration is not signed by or does not contain an address for a person purporting to be a witness to the signature of the person making it.

(2B) The Secretary of State may by regulations amend sub-paragraph (2A) above by the addition of further grounds for a statutory declaration to be invalid.”.

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***Status:** This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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(3) After sub-paragraph (3) the following sub-paragraph is inserted—

“(3A) In considering an application under sub-paragraph (3) above the district judge must take into consideration any representations made by the London authority before the expiry of the period of 14 days beginning on the date on which copies of the application and the statutory declaration are served by the court on the London authority.”.

(4) In sub-paragraph (5), at the beginning the words “Subject to sub-paragraphs (2A) above and (5A) below” are inserted.

(5) After sub-paragraph (5) the following sub-paragraph is inserted—

“(5A) Where—

- (a) sub-paragraph (4) above applies; and
- (b) the order of the court is deemed to have been revoked under sub-paragraph (5) above,

the London authority concerned shall not be liable to pay the person making the declaration any sums other than the increased charge which was payable under the county court order.”.