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## SCHEDULES

### SCHEDULE 2

#### REPRESENTATIONS, APPEALS AND ENFORCEMENT

##### *Representations and appeals in cases where bond is paid*

- 4 (1) If representations are made to a relevant authority in a case where paragraph 1(1)(a)(ii) or 1(1)(c) above applies, the relevant authority shall issue a certificate to the relevant person.
- (2) A certificate under sub-paragraph (1) above shall state—
- (a) that the certificate is issued under that sub-paragraph;
  - (b) the date on which the certificate was issued;
  - (c) the registration mark of the vehicle;
  - (d) the effect of sub-paragraph (3) below.
- (3) A vehicle may not be immobilised or removed under section 17 (immobilisation and removal of vehicles) of this Act if—
- (a) a certificate issued under sub-paragraph (1) above is being displayed prominently in or on the vehicle to which it relates; and
  - (b) either—
    - (i) the period mentioned in paragraph 2(4) above, after which the relevant authority may disregard any representations received by them, has not expired; or
    - (ii) that period has expired and representations were received by them before its expiry and either of the conditions of sub-paragraph (4) below are met.
- (4) The conditions are—
- (a) no notice has yet been served by the relevant authority under paragraph 2(5)(b) above;
  - (b) the relevant authority have notified the person who made them that they reject the grounds of the representations; and—
    - (i) the period allowed for making an appeal to an adjudicator in respect of the notification of rejection of representations has not yet expired; or
    - (ii) an appeal has been made to the adjudicator and no conclusion has yet been reached by the adjudicator under paragraph 3(3) above.
- (5) This sub-paragraph applies if—
- (a) a person who is entitled to—
    - (i) make representations under paragraph 2 above; or
    - (ii) appeal to an adjudicator under paragraph 3 above,fails to do so within the period mentioned in the paragraph in question; and

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- (b) that person has paid or caused to be paid a bond in accordance with section 20 (payment of bond to secure removal) of this Act.
- (6) If sub-paragraph (5) above applies, the London authority in question shall return the bond to the person in question if he has paid or caused to be paid the outstanding penalty charges in question and any charges incurred in relation to them under this Act.
- (7) The relevant authority may set off any costs in recovering outstanding penalty charges against the bond, and shall return the balance of the bond (if any) to the person in question if—
  - (a) sub-paragraph (5) above applies; and
  - (b) the person in question has not paid or caused to be paid the outstanding penalty charges in question or any penalty incurred in relation to them under Part 5 (non-payment of penalty charges) of this Act.