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Terrorism Act 2000

2000 CHAPTER 11

PART V

COUNTER-TERRORIST POWERS

Parking

48   Authorisations.

(1) An authorisation under this section authorises any constable in uniform to prohibit or restrict the parking of vehicles on a road specified in the authorisation.

(2) An authorisation may be given only if the person giving it considers it expedient for the prevention of acts of terrorism.

(3) An authorisation may be given—

(a) where the road specified is outside Northern Ireland and is wholly or partly within a police area other than one mentioned in paragraphs (b) or (c), by a police officer for the area who is of at least the rank of assistant chief constable;

(b) where the road specified is wholly or partly in the metropolitan police district, by a police officer for the district who is of at least the rank of commander of the metropolitan police;

(c) where the road specified is wholly or partly in the City of London, by a police officer for the City who is of at least the rank of commander in the City of London police force;

(d) where the road specified is in Northern Ireland, by a member of the Royal Ulster Constabulary who is of at least the rank of assistant chief constable.

(4) If an authorisation is given orally, the person giving it shall confirm it in writing as soon as is reasonably practicable.

49   Exercise of power.

(1) The power conferred by an authorisation under section 48 shall be exercised by placing a traffic sign on the road concerned.

(2) A constable exercising the power conferred by an authorisation under section 48 may suspend a parking place.

(3) Where a parking place is suspended under subsection (2), the suspension shall be treated as a restriction imposed by virtue of section 48—

  (a) for the purposes of section 99 of the [M1]Road Traffic Regulation Act 1984 (removal of vehicles illegally parked, &c.) and of any regulations in force under that section, and

  (b) for the purposes of Articles 47 and 48 of the [M2]Road Traffic Regulation (Northern Ireland) Order 1997 (in relation to Northern Ireland).

Marginal Citations
  M1 1984 c. 27.
  M2 S.I. 1997/276 (N.I. 2).

50   Duration of authorisation.

(1) An authorisation under section 48 has effect, subject to subsections (2) and (3), during the period specified in the authorisation.

(2) The period specified shall not exceed 28 days.

(3) An authorisation may be renewed in writing by the person who gave it or by a person who could have given it; and subsections (1) and (2) shall apply as if a new authorisation were given on each occasion on which the authorisation is renewed.

51   Offences.

(1) A person commits an offence if he parks a vehicle in contravention of a prohibition or restriction imposed by virtue of section 48.

(2) A person commits an offence if—

  (a) he is the driver or other person in charge of a vehicle which has been permitted to remain at rest in contravention of any prohibition or restriction imposed by virtue of section 48, and

  (b) he fails to move the vehicle when ordered to do so by a constable in uniform.

(3) It is a defence for a person charged with an offence under this section to prove that he had a reasonable excuse for the act or omission in question.

(4) Possession of a current disabled person's badge shall not itself constitute a reasonable excuse for the purposes of subsection (3).

(5) A person guilty of an offence under subsection (1) shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(6) A person guilty of an offence under subsection (2) shall be liable on summary conviction to—

    (a)   imprisonment for a term not exceeding three months,

    (b)   a fine not exceeding level 4 on the standard scale, or

    (c)   both.

52   Interpretation.

In sections 48 to 51—

"disabled person's badge" means a badge issued, or having effect as if issued, under any regulations for the time being in force under section 21 of the [M3]Chronically Sick and Disabled Persons Act 1970 (in relation to England and Wales and Scotland) or section 14 of the [M4]Chronically Sick and Disabled Persons (Northern Ireland) Act 1978 (in relation to Northern Ireland);

"driver" means, in relation to a vehicle which has been left on any road, the person who was driving it when it was left there;

"parking" means leaving a vehicle or permitting it to remain at rest;

"traffic sign" has the meaning given in section 142(1) of the [M5]Road Traffic Regulation Act 1984 (in relation to England and Wales and Scotland) and in Article 28 of the [M6]Road Traffic Regulation (Northern Ireland) Order 1997 (in relation to Northern Ireland);

"vehicle" has the same meaning as in section 99(5) of the [M7]Road Traffic Regulation Act 1984 (in relation to England and Wales and Scotland) and Article 47(4) of the [M8]Road Traffic Regulation (Northern Ireland) Order 1997 (in relation to Northern Ireland).

Marginal Citations

M3 1970 c. 44.

M4 1978 c. 53 (N.I.).

M5 1984 c. 27.

M6 S.I. 1997/276 (N.I. 2).

M7 1984 c. 27.

M8 S.I. 1997/276 (N.I. 2).

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