

*These notes refer to the Deregulation Act 2015 (c.20)
which received Royal Assent on 26 March 2015*

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 53: Civil penalties for parking contraventions: enforcement

244. This section inserts two provisions into Part 6 of the Traffic Management Act 2004 (“the 2004 Act”), both of which apply in relation to parking contraventions on roads in England. Section 53(2), inserting section 78A, adds to the existing power under section 78 of the 2004 Act and requires regulations under that section to provide for notification of a penalty charge to be given by way of a civil enforcement officer affixing a penalty charge notice to the vehicle in question. This is subject to a power to provide for exceptions, to cater for particular contraventions or circumstances in which a contravention may take place. Unless an exception applies, local authorities will no longer be able to issue penalty charge notices through the post.
245. **Section 53(3)**, inserting section 87A into the 2004 Act, provides the Secretary of State with an enabling power that allows for the prohibition of CCTV or other devices in connection with parking enforcement. The prohibition may be general or limited to particular uses. The power could be exercised by setting out the prohibition in free-standing regulations or in amendments to Part 6 itself. Section 53(3) also allows for exceptions in the same way as section 53(2).
246. The section forms part of the law of England and Wales but applies only to parking contraventions in England. It comes into force on the day on which the Act is passed so far as is necessary for enabling regulations to be made. It comes into force for remaining purposes on a day to be appointed by the Secretary of State in a commencement order.