
STATUTORY INSTRUMENTS

1999 No. 1205

ROAD TRAFFIC

**The Road Traffic (Parking Adjudicators)
(London) (Amendment) Regulations 1999**

<i>Made</i>	- - - -	<i>22nd April 1999</i>
<i>Laid before Parliament</i>		<i>4th May 1999</i>
<i>Coming into force</i>	- -	<i>1st June 1999</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by section 73(11) and (12) of the Road Traffic Act 1991⁽¹⁾ and section 6(2) of the London Local Authorities Act 1996⁽²⁾, and of all other powers enabling him in that behalf and after consultation with the Council on Tribunals in accordance with the requirements of section 8 of the Tribunals and Inquiries Act 1992⁽³⁾, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Road Traffic (Parking Adjudicators) (London) (Amendment) Regulations 1999 and shall come into force on 1st June 1999.

Preliminary

2. The Road Traffic (Parking Adjudicators) (London) Regulations 1993⁽⁴⁾ shall be amended in accordance with the following provisions of these Regulations.

Amendments to regulation 2 (interpretation)

3.—(1) In regulation 2(1)—

(a) after the definition of “the Act” there shall be inserted the following definition—

““the 1996 Act” means the London Local Authorities Act 1996;”;

(b) in the definition of “appeal”, after the words “the Act” there shall be inserted “or an appeal under paragraph 6 of Schedule 1 to the 1996 Act”; and

(1) 1991 c. 40; see the definition of “prescribed” in section 82(1).
(2) 1996 c. ix.
(3) 1992 c. 53.
(4) S.I. 1993/1202.

(c) in the definition of “the adjudicator”, after the words “the Act” there shall be inserted “and includes a person so appointed when discharging the function of a traffic adjudicator under Schedule 1 to the 1996 Act”.

(2) In regulation 2(2), in the definition of “the original representations”, after the words “of Schedule 6 to, the Act” there shall be inserted “or under paragraph 2 of Schedule 1 to the 1996 Act”.

Initiating an appeal

4. In regulation 3(3), after the words “of Schedule 6 to, the Act” there shall be inserted “or mentioned in paragraph 6(1) of Schedule 1 to the 1996 Act”.

Action upon receipt of notice of appeal and copy of such notice

5. In regulation 4(2), for sub-paragraph (c) there shall be substituted—

“(c) a copy of the notice served under section 71(6) of, or paragraph 2(7) of Schedule 6 to, the Act or under paragraph 2(10) of Schedule 1 to the 1996 Act (as the case may be).”

Power to require attendance of witnesses

6. In regulation 6(2), after the words “section 73(14) of the Act” there shall be inserted “or under section 73(14) of the Act as applied by section 6(3) of the 1996 Act (as the case may be),”.

Procedure at a hearing

7. In regulation 9(7), for the words “with the assistance from any person” there shall be substituted “with assistance from any person”.

Review of adjudicator’s decision

8. In regulation 11(1)(d), for the words “reasonably have been foreseen”, there shall be substituted “have been reasonably known of or foreseen”.

Miscellaneous powers of the adjudicator

9. In regulation 14(2), after sub-paragraph (b) the word “and” shall be omitted and for sub-paragraph (c) there shall be substituted—

“(c) paragraph 5(1)(b) of Schedule 6 to the Act, and
(d) paragraph 6(1)(b) of Schedule 1 to the 1996 Act,”.

Interpretation of Part III

10. For regulation 18 there shall be substituted—

“18. This Part of these Regulations shall have effect for determining the procedure where—

- (a) an order of a county court is deemed to have been revoked under paragraph 8(5) of Schedule 6 to the Act and the local authority concerned has referred the case to the adjudicator under paragraph 8(7) of that Schedule; or
- (b) an order of a county court is deemed to have been revoked under paragraph 10(5) of Schedule 1 to the 1996 Act and the local authority concerned has referred the case to the adjudicator under paragraph 10(7) of that Schedule,

and in relation to a case so referred, for the purposes of this Part of these Regulations, a relevant person is the person against whom the county court order has been made.”

Procedure

11. In regulation 19(1), after the words “Schedule 6 to the Act” there shall be inserted “or under paragraph 10(7) of Schedule 1 to the 1996 Act”.

Signed by authority of the Secretary of State

Glenda Jackson
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

22nd April 1999

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Road Traffic (Parking Adjudicators) (London) Regulations 1993 ([S.I. 1993/1202](#)) (“the 1993 Regulations”) prescribed the procedure to be followed by parking adjudicators acting under the provisions of Part II of the Road Traffic Act 1991 in relation to parking in London. These Regulations amend the 1993 Regulations so as to apply them to parking adjudicators when acting as traffic adjudicators pursuant to Part II (bus lanes) of the London Local Authorities Act 1996 and to make consequential modifications.

Regulations 7 and 8 make minor drafting amendments to regulations 9(7) and 11(1)(d) of the 1993 Regulations.