
STATUTORY INSTRUMENTS

2005 No. 2757

**The Bus Lane Contraventions (Penalty Charges,
Adjudication and Enforcement) (England) Regulations 2005**

PART 1

PRELIMINARY

Citation, commencement and application

1.—(1) These Regulations may be cited as the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 and shall come into force on 1st November 2005.

(2) These Regulations apply only to England exclusive of Greater London.

Interpretation

2.—(1) In these Regulations—

“the 2000 Act” means the Transport Act 2000;

“adjudicator”, except in the expression “parking adjudicator”, means a bus lane adjudicator appointed under regulation 11(1)(a);

“appeal” means an appeal against the imposition of a penalty charge;

“appeal period” means the period of 28 days specified in regulation 14(4);

“contravention” means a bus lane contravention in which a vehicle is involved;

“enforcing authority” in relation to a penalty charge means the approved local authority which imposed the penalty charge;

“notice of rejection” means a notice served under regulation 10(3);

“penalty charge notice” has the meaning given by regulation 8(1);

“proper officer” means a person appointed under regulation 11(1)(c);

“register” means the register of appeals and decisions kept in accordance with regulation 31;

“statutory grounds of appeal” means the grounds, as specified in regulation 9(2), on which—

(a) representations against a penalty charge notice may be made under regulation 9 to an approved authority; or

(b) an appeal made to an adjudicator under regulation 14;

“vehicle” means motor vehicle; and

“working day” means any day which is not a Saturday, a Sunday, Good Friday, Christmas Day, or a bank holiday in England and Wales by virtue of section 1 of the Banking and Financial Dealings Act 1971(1).

(2) Subject to regulation 10(2), for the purposes of these Regulations, the owner of a vehicle shall be taken to be the person by whom the vehicle is kept.

(3) In determining, for the purposes of these Regulations, who was the owner of a vehicle at any time, it shall, subject to regulation 10(2), be presumed that the owner was the person in whose name the vehicle was registered under the Vehicle Excise and Registration Act 1994(2) at that time.

(4) In determining, for the purposes of these Regulations, whether and when a penalty charge has been paid, it shall be taken to have been paid when the whole of the amount of the penalty charge applicable in the circumstances of the case is received by the approved local authority concerned.

(5) References to the service of a document include service by post and, in determining for the purposes of these Regulations the date on which a notice or other document is served by post, it shall be presumed that service of a notice sent by first class post was effected on the person to whom it was addressed on the second working day after the day on which it was posted.