

## SCHEDULE 4

Regulation 42

### Consequential Amendments

#### **Amendment of regulation 5C of the Removal and Disposal of Vehicles Regulations 1986**

1.—(1) Regulation 5C of the Removal and Disposal of Vehicles Regulations 1986<sup>(1)</sup> (power of civil enforcement officers to remove vehicles in a civil enforcement area for parking contraventions in England) is amended as follows.

(2) In paragraph (1), in sub-paragraph (b), for “regulation 9A of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007”, substitute “regulation 9 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022”.

(3) In paragraph (4)—

- (a) in the definition of “outstanding”, for “Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (see regulation 2(2), (3) and (4) of those Regulations)” substitute “regulation 15(6) of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022”;
- (b) in the definition of “penalty charge”, for “Civil Enforcement of Parking Contraventions (England) General Regulations 2007” substitute “Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022”; and
- (c) in the definition of “penalty charge notice”, for “Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (see regulation 8(1) of those Regulations)”, substitute “Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 (see regulation 2 of those Regulations)”.

#### **Amendment of article 8A of the High Court and County Courts Jurisdiction Order 1991**

2. In article 8A of the High Court and County Courts Jurisdiction Order 1991<sup>(2)</sup> (enforcement of traffic penalties), in paragraph (1)(a)(iv), for “Civil Enforcement of Parking Contraventions (England) General Regulations 2007”, substitute “Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022”.

#### **Amendment of the Traffic Management Act 2004 (Commencement No. 5 and Transitional Provisions) (England) Order 2007**

3.—(1) The Traffic Management Act 2004 (Commencement No. 5 and Transitional Provisions) (England) Order 2007<sup>(3)</sup> is amended as follows.

(2) In article 5 (transitional modifications of the London Local Authorities Act 1996)—

(a) in paragraph (2) (modification of section 3(1)), for paragraph (b) substitute—

“(b) for the definition of “Joint Committee” there is substituted—

““Joint Committee” means the joint committee appointed pursuant to section 102(1)(b) of the Local Government Act 1972 to discharge the

(1) [S.I. 1986/183](#). Regulation 5C was inserted by [S.I. 2007/3483](#) and amended in relation to England by [S.I. 2021/461](#).

(2) [S.I. 1991/724](#). Article 8A was inserted by [S.I. 1993/1407](#), and paragraph (1)(a)(iii) to (v) was inserted by [S.I. 2009/577](#). There are other amendments to Article 8A but none is relevant.

(3) [S.I. 2007/2053](#), as amended by [S.I. 2008/757](#).

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- functions described in regulation 18 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022;”;
- (b) in paragraph (3)(a) (modification of section 6(1)) for “regulation 17 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007” substitute “regulation 16 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022” (“the RTC Regulations”);
- (c) in paragraph (3)(c), in the substituted section 6(3)—
- (i) for the words from “Regulations 12(6)” to “committee,” substitute “Regulation 16(6) and (7) (reports by adjudicators and to the Secretary of State) of the RTC Regulations and”;
- (ii) in paragraph (a), for “those Regulations” substitute “the RTC Regulations”;
- (iii) for paragraph (b) substitute—
- “(b) to the persons who exercise the functions of the enforcing authority for the purposes of Schedule 1 to this Act as they apply to the relevant enforcement authorities which are London authorities;”;
- (d) in paragraph (3), after sub-paragraph (c), insert—
- “(d) after subsection (3) there is inserted—
- “(3A) For the purposes of subsection (3)—
- (a) “the relevant enforcement authorities” has the same meaning as in section 81 of the Traffic Management Act 2004;
- (b) “London authority” has the same meaning as in Part 6 of that Act (see section 92 of that Act).”;
- (e) in paragraph (4), in the substituted section 8, for “regulation 24 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007” substitute “regulation 24 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022”.
- (3) In article 7 (transitional modifications of the London Local Authorities Act 2000)—
- (a) in paragraph (2)(b) (modification of section 3(1): definition of “the General Parking Regulations”), for “Civil Enforcement of Parking Contraventions (England) General Regulations 2007” substitute “Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022”;
- (b) in paragraph (3) (modification of section 9)—
- (i) in sub-paragraph (a), for “12(1)” substitute “13(1)”;
- (ii) in sub-paragraph (b), for “14(2)(a) or (b)” substitute “15(1)(a) or (b)”.
- (4) In article 8 (transitional modifications of the London Local Authorities and Transport for London Act 2003)—
- (a) in paragraph (2) (modification of section 4)—
- (i) in sub-paragraph (a) (modification of subsection (6)(b)), for “regulation 4(b) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007” substitute “regulation 6 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 (“the RTC Regulations”) by reason of being a parking

contravention within paragraph 3 of Schedule 7 to the Traffic Management Act 2004 in a civil enforcement area in Greater London,”;

(ii) for sub-paragraph (d) substitute—

“(d) in subsection (16), for the definition of “Joint Committee” there is substituted—

““Joint Committee” means the joint committee appointed pursuant to section 102(1)(b) of the Local Government Act 1972 to discharge the functions described in regulation 18 of the RTC Regulations;”.”;

(b) in paragraph (4)(b), in paragraph (i) (modification of paragraph 10(1) of Schedule 1), for “regulation 17 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (S.I. 2007/3483)” substitute “regulation 16 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 (“the RTC Regulations)”;

(c) in paragraph (4)(b), in paragraph (ii) (modification of paragraph 10(2) and (3) of Schedule 1), in the substituted sub-paragraph (3)—

(i) for the words from “Regulations 12(6)” to “committee),” substitute “Regulation 16(6) and (7) of the RTC Regulations and;”;

(ii) in paragraph (a) for “those Regulations” substitute “the RTC Regulations”;

(iii) for paragraph (b) substitute—

“(b) to the persons who exercise the functions of the enforcing authority as they apply to the relevant enforcement authorities which are London authorities;”;

(d) after paragraph (4)(b) insert—

“(c) after sub-paragraph (3) there is inserted—

“(3A) For the purposes of sub-paragraph (3)—

(a) “the relevant enforcement authorities” has the same meaning as in section 81 of the Traffic Management Act 2004;

(b) “London authority” has the same meaning as in Part 6 of that Act (see section 92 of that Act).”.”.

#### **Amendment of Schedule 1 to the Judicial Appointments Order 2008**

4. In Part 1 of Schedule 1 to the Judicial Appointments Order 2008(4) (officers for a fellow of the Institute of Legal Executives holds a relevant qualification) for “Adjudicators appointed under regulation 17 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007”, substitute “Adjudicators appointed under regulation 16 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022”.

#### **Amendment of the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013**

5.—(1) The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013(5) are amended as follows.

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(4) S.I. 2008/2995. There are amendments to Schedule 1 not relevant to these Regulations.

(5) S.I. 2013/1783. There are amendments to the 2013 Regulations not relevant to these Regulations.

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(2) In regulation 2(1) (interpretation), in the definition of “joint committee”, for “regulation 16 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007”, substitute “regulation 19 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022”.

(3) In regulation 12(2) (appointment etc. of adjudicators), after “2007 Regulations”, insert “, or under regulation 16 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022,”.

#### **Amendment of the West Midlands Combined Authority (Functions and Amendment) Order 2017**

6.—(1) Article 6 of the West Midlands Combined Authority (Functions and Amendment) Order 2017<sup>(6)</sup> (bus lane contraventions) is amended as follows.

(2) For paragraph (3) substitute—

“(3) For the purposes of this article, the Combined Authority is to be treated as an enforcement authority for the Enforcement Area in relation to bus lane contraventions, and references in the General Provisions Regulations to an enforcement authority or a civil enforcement area are to be construed accordingly.”.

(3) In paragraph (4), for sub-paragraph (a) substitute—

“(a) “the General Provisions Regulations” means the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022;

(aa) “bus lane contravention” has the meaning given in the Transport Management Act 2004 (see section 93 of and Schedule 7 to that Act);”.

#### **Amendment of regulation 18 of the Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018**

7.—(1) Regulation 18 of the Littering From Vehicles Outside London (Keepers: Civil penalties) Regulations 2018<sup>(7)</sup> (adjudicators) is amended as follows.

(2) In paragraph (1), for “regulation 17 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007” substitute “regulation 16 of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022”.

(3) In paragraph (3), for “regulation 16(1) of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007” substitute “regulation 19(1) of the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022”.

#### **Amendment of the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021**

8.—(1) Article 24 of the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021<sup>(8)</sup> (bus lane contraventions) is amended as follows.

(2) For paragraph (3) substitute—

“(3) For the purposes of this article, the Combined Authority is to be treated as an enforcement authority for the Enforcement Area in relation to bus lane contraventions, and

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(6) [S.I. 2017/510](#).

(7) [S.I. 2018/171](#).

(8) [S.I. 2021/112](#).

references in the General Provisions Regulations to an enforcement authority or a civil enforcement area are to be construed accordingly.”.

(3) In paragraph (4), for sub-paragraph (a) substitute—

“(a) “the General Provisions Regulations” means the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022;

(aa) “bus lane contravention” has the meaning given in the Transport Management Act 2004 (see section 92 of and Schedule 7 to that Act);”.