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STATUTORY INSTRUMENTS

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**2005 No. 1964**

**The Traffic Management (Northern Ireland) Order 2005**

*Miscellaneous*

**Relationship between traffic regulation orders and earlier provisions**

**42.**—(1) The power of the Department to make any provision under Article 4 of the 1997 Order (traffic regulation orders) includes, and shall be deemed always to have included, any power conferred by Article 21 or 22 of the 1981 Order (powers to control traffic).

(2) Without prejudice to paragraph (1), a traffic regulation order may amend, revoke or reproduce with or without modifications any provision to which paragraph (4) applies.

(3) Paragraph 1(1) of Schedule 1 to the 1997 Order (procedure for making traffic regulation orders) shall not require the Department to comply with paragraphs 2 and 3 of that Schedule (consultation and publication of notices) in respect of any provision of a traffic regulation order which revokes or reproduces with or without modifications any provision to which paragraph (4) applies.

(4) This paragraph applies to any provision which was—

(a) made under Article 21 or 22 of the 1981 Order, or

(b) had effect, immediately before the commencement of Article 4 of the 1997 Order, as if made under Article 21 or 22 of the 1981 Order.

(5) Any reference in the 1997 Order to a traffic regulation order includes, and shall be deemed always to have included, any provision to which paragraph (4) applies.

(6) In this Article—

“1981 Order” means the [Road Traffic \(Northern Ireland\) Order 1981 \(NI 1\)](#);

“traffic regulation order” means an order under Article 4 of the 1997 Order.