
DRAFT STATUTORY INSTRUMENTS

2022 No.

The Civil Enforcement of Road Traffic Contraventions
(Representations and Appeals) (England) Regulations 2022

PART 6

Consequential, savings and transitional provisions

CHAPTER 1

Revocation of the Civil Enforcement of Parking Contraventions (England)
Representations and Appeals Regulations 2007 and related provisions

Saving and transitional provisions: representations and appeals in relation to penalty charges for parking contraventions occurring before the commencement date

21.—(1) Parts 2 and 5 of, and the Schedule to, the 2007 Appeals Regulations continue to have effect, on and after the commencement date, for the purposes of, and in connection with—

- (a) any representations made to an enforcement authority—
 - (i) against an existing penalty charge notice, or
 - (ii) under regulation 4 of the 2007 Appeals Regulations, before the commencement date;
 - (b) any appeal to an adjudicator under regulation 7 of the 2007 Appeals Regulations made before that date;
 - (c) any transitional charge case.
- (2) For the purposes of paragraph (1)(c), a “transitional charge case” is a case—
- (a) where—
 - (i) the person on whom an existing penalty charge notice was served had not, before the commencement date, made representations against the notice to the enforcement authority which served it, and
 - (ii) a notice to owner had not been served on that person by the authority before that date,
 - (b) where—
 - (i) the person on whom an existing enforcement notice was served had, before the commencement date, made no representations against the notice under regulation 4 of the 2007 Appeals Regulations, and
 - (ii) a charge certificate had not been served on that person under regulation 21 of the 2007 General Regulations before that date by the enforcement authority which served the existing enforcement notice,
 - (c) where a person is served with a new penalty charge notice, or
 - (d) where a person is served with a new enforcement notice.

(3) In this regulation—

“existing penalty charge notice” means a penalty charge notice served under regulation 9 or 9A of the 2007 General Regulations before the commencement date;

“existing enforcement notice” means—

(a) a penalty charge notice served under regulation 10 of the 2007 General Regulations before the commencement date, or

(b) a notice to owner served under regulation 19 of those Regulations before that date;

“new penalty charge notice” means a penalty charge notice served under regulation 9 or 9A of the saved 2007 General Regulations on or after the commencement date;

“new enforcement notice” means—

(a) a penalty charge notice served under regulation 10 of the saved 2007 General Regulations on or after the commencement date, or

(b) a notice to owner served under regulation 19 of the saved 2007 General Regulations on or after that date.