



# Road Traffic Regulation Act 1984

## 1984 CHAPTER 27

### PART VIII

#### CONTROL AND ENFORCEMENT

##### *Removal or immobilisation of vehicles*

#### **[<sup>F1</sup>101B Representations and appeals**

- (1) The Lord Chancellor may make regulations entitling a person who in the case of a vehicle found in an area that is a civil enforcement area for parking contraventions—
- (a) is required to pay an amount on recovering the vehicle under section 101A(1), or
  - (b) receives a sum in respect of the vehicle under section 101A(2) or is informed that the proceeds of sale did not exceed the aggregate amount mentioned in that provision,

to make representations to the authority concerned and to appeal to an adjudicator if his representations are not accepted.

- (2) The regulations may make such provision in connection with the rights conferred as appears to the Lord Chancellor to be appropriate, and may in particular make provision—
- (a) requiring the authority to give a person notice of the rights conferred by the regulations,
  - (b) as to the grounds on which, and time within which, representations may be made;
  - (c) requiring supporting evidence in such circumstances as may be specified;
  - (d) as to the duties of the authority when representations are received;
  - (e) as to the circumstances in which there is a right of appeal to an adjudicator,
  - (f) generally as to the making, determination and effect of, and procedure in connection with, such appeals, and

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*Status: Point in time view as at 15/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Section 101B. (See end of Document for details)*

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- (g) enabling an adjudicator to review any decision made on, or in the course of, an appeal.
- (3) The regulations may include provision authorising an adjudicator to require a person—
- (a) to attend to give evidence at the hearing of an appeal, and
  - (b) to produce any documents in his custody or under his control relating to any matter relevant for the purposes of the appeal,
- and making it a criminal offence triable summarily and punishable with a fine not exceeding level 2 on the standard scale to fail to comply with such a requirement.
- (4) The regulations may include provision authorising an adjudicator to make an order for the payment of costs and expenses by a party to an appeal in such circumstances as may be specified.
- (5) The functions of adjudicators under this section shall be discharged by the persons appointed as adjudicators for the purposes of Part 6 of the Traffic Management Act 2004 (civil enforcement of road traffic contraventions) and any arrangements made for the discharge of their functions under that Part also have effect for the purposes of this section.
- [ Subsections (1) to (3) of section 89 of the Traffic Management Act 2004 (regulations <sup>F2</sup>(6) and orders) apply to regulations under this section as they apply to regulations under Part 6 of that Act.]]

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**Textual Amendments**

- F1** S. 101B inserted (E.W.) (26.10.2006 for W. and 23.7.2007 for E.) by [Traffic Management Act 2004](#) (c. 18), ss. 91, 99, [Sch. 11 para. 3\(2\)](#) (with s. 38); [S.I. 2006/2826](#), [art. 2\(2\)\(c\)](#); [S.I. 2007/2053](#), [art. 2\(1\)\(2\)\(i\)](#)
- F2** S. 101B(6) inserted by [The Lord Chancellor \(Modification of Functions\) Order 2007](#) (S.I. 2007/1756), [art. 2\(2\)](#) (the said [S.I. 2007/1756](#) coming into force on the day on which para. 3(2) of Sch. 11 to the Traffic Management Act 2004 comes into force for E. ; and by [S.I. 2007/2053](#), [arts. 2\(2\)\(i\)](#) and {3(2)(g)}, the said para. 3(2) of Sch. 11 was brought into force for E. on 23.7.2007 for certain purposes and on 31.3.2008 for remaining purposes.)

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**Modifications etc. (not altering text)**

- C1** Ss. 101-103 applied (15.3.2018) by [City of London Corporation \(Open Spaces\) Act 2018](#) (c. i), [s. 13\(5\)\(b\)](#) (with ss. 3, 4(2))

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Road Traffic Regulation Act 1984, Section 101B.