



Road Traffic Act 1991

1991 CHAPTER 40

PART II

TRAFFIC IN LONDON

Parking in London

73 Appointment of parking adjudicators by joint committee of the [F¹ appointing authorities].

[F²(1) The London local authorities and Transport for London (in this section referred to as “the appointing authorities”) shall establish a single joint committee under section 101(5) of the ^{M1}Local Government Act 1972 (“the Joint Committee”) before 4th September 2000 or such later date as the Secretary of State may by order specify.

(1A) For the purposes of subsection (1) above, sections 101(5) and 102 of the ^{M2}Local Government Act 1972 shall have effect as if Transport for London were a local authority.]

(2) The functions conferred on the [F¹ appointing authorities] by this section ^{F3} . . . shall be discharged by the Joint Committee.

(3) The [F¹ appointing authorities] shall—

- (a) with the consent of the Lord Chancellor, appoint persons to act as parking adjudicators for the purposes of this Part of this Act;
- (b) provide accommodation and administrative staff for the parking adjudicators; and
- (c) determine the places at which parking adjudicators are to sit.

(4) To be qualified for appointment as a parking adjudicator, a person must have a 5 year general qualification (within the meaning of section 71 of the ^{M3}Courts and Legal Services Act 1990).

(5) Each parking adjudicator shall be appointed for such term, not exceeding five years, as the [F¹ appointing authorities] may specify in relation to his appointment.

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- (6) On the expiry of his term of appointment, a parking adjudicator shall be eligible for re-appointment.
- (7) A parking adjudicator may be removed from office only for misconduct or on the ground that he is unable or unfit to discharge his functions but shall otherwise hold and vacate office in accordance with the terms of his appointment.
- (8) The expenses of the Joint Committee incurred in the discharge of functions conferred on the [F1 appointing authorities] by this Act shall be defrayed by the [F1 appointing authorities] in such proportions as they may decide or, in default of a decision by them, as may be determined by an arbitrator nominated by the Chartered Institute of Arbitrators on the application of the Joint Committee.
- (9) The costs of any reference to arbitration under subsection (8) above shall be borne by the [F1 appointing authorities] in equal shares.
- (10) Where the Secretary of State is satisfied that there has been, or is likely to be, a failure on the part of the [F1 appointing authorities] to agree on the proportions in which the expenses of the Joint Committee are to be defrayed by them under subsection (8) above he may give the Joint Committee such directions as he considers appropriate in order to require it to refer the matter to arbitration under that subsection.
- (11) The Secretary of State shall by regulations make provision as to the procedure to be followed in relation to proceedings before parking adjudicators.
- (12) The regulations may, in particular, include provision—
 - (a) as to the manner in which appeals to parking adjudicators are to be made or withdrawn;
 - (b) authorising an appeal to a parking adjudicator to be disposed of on the basis of written representations unless the appellant requests an oral hearing;
 - (c) prescribing the procedure to be followed before the hearing of an appeal by a parking adjudicator;
 - (d) requiring any such hearing to be held in public except in prescribed circumstances;
 - (e) as to the persons entitled to appear and be heard on behalf of the parties;
 - (f) requiring persons to attend to give evidence and to produce documents;
 - (g) as to evidence at the hearing;
 - (h) as to the adjournment of hearings;
 - (i) for the award of costs in prescribed circumstances;
 - (j) for the settlement of costs, by taxation (and in particular by taxation in a county court) or by some other prescribed method;
 - (k) authorising decisions of parking adjudicators to be reserved;
 - (l) authorising or requiring parking adjudicators—
 - (i) to revise or set aside decisions;
 - (ii) to revoke or vary orders made by them;
 - (m) requiring decisions of, and orders made by, parking adjudicators, to be recorded;
 - (n) as to the proof of decisions of, and orders made by, parking adjudicators;
 - (o) authorising the correction of clerical errors in records kept in accordance with the requirements of the regulations;
 - (p) requiring service of—

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- (i) notice of decisions of parking adjudicators;
 - (ii) copies of any orders made by such adjudicators; or
 - (iii) notice of any corrections made by parking adjudicators in their decisions or orders.
- (13) Subject to any provision made by the regulations, a parking adjudicator may regulate his own procedure.
- (14) If any person who is required to attend a hearing held by a parking adjudicator, or to produce any document to a parking adjudicator in accordance with any regulations under subsection (11) above, fails without reasonable excuse to do so, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (15) Any amount which is payable under an adjudication of a parking adjudicator shall, if a county court so orders, be recoverable by the person to whom the amount is payable, as if it were payable under a county court order.
- (16) Subsection (15) above does not apply to a penalty charge which remains payable following an adjudication under paragraph 5 of Schedule 6 to this Act.
- (17) In accordance with such requirements as may be imposed by the Joint Committee, each parking adjudicator shall make an annual report to the Joint Committee on the discharge of his functions.
- (18) The Joint Committee shall make and publish an annual report in writing to the Secretary of State on the discharge by the parking adjudicators of their functions.

Textual Amendments

- F1** Words in s. 73(2)(3)(5)(8)(10) and sidenote substituted (3.7.2000) by 1999 c. 29, s. 283(4) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**
- F2** S. 73(1)(1A) substituted (3.7.2000) for s. 73(1) by 1999 c. 29, ss. 283(2) (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(c), **Sch. Pt. III**
- F3** Words in s. 73(2) repealed (3.7.2000) by 1999 c. 29, ss. 283(3), 423, **Sch. 34 Pt. VI** (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(c), **Sch. Pt. III**

Modifications etc. (not altering text)

- C1** S. 73 applied (with modifications): (20.5.1996) by S.I. 1996/1171, art. 4, **Sch. 1**; (3.2.1997) by S.I. 1996/2650, art. 4, **Sch. 2**
- S. 73 applied (with modifications): (3.3.1997) by S.I. 1997/56, art. 5, **Sch. 3**; (29.9.1997) by S.I. 1997/2078, art. 5, **Sch. 3**; (27.10.1997) by S.I. 1997/2304, art. 5, **Sch. 1**
- S. 73 applied (with modifications) (5.10.1998) by S.I. 1998/1539, art. 4, **Sch. 2 paras. 2-5** (as amended (1.4.2020) by The First-tier Tribunal for Scotland (Transfer of Functions of Parking Adjudicators) Regulations 2020 (S.S.I. 2020/95), reg. 1, sch. 2 para. 21(3) (with sch. 1))
- S. 73 applied (with modifications) (19.1.1999) by S.I. 1998/3207, art. 4, **Sch. 1**
- S. 73 applied (with modifications): (16.2.1999) by S.I. 1999/131, art. 5, **Sch. 2**; (5.4.1999) by S.I. 1999/768, art. 5, **Sch. 1**; (3.5.1999) by S.I. 1999/1112, art. 5, **Sch. 1**; (S.) (4.10.1999) by S.S.I. 1999/59, art. 4, **Sch. 2** (as amended (1.4.2020) by The First-tier Tribunal for Scotland (Transfer of Functions of Parking Adjudicators) Regulations 2020 (S.S.I. 2020/95), reg. 1, sch. 2 para. 20(3) (with sch. 1)); (3.1.2000) by S.I. 1999/3313, art. 5, **Sch. 1**; (4.1.2000) by S.I. 1999/3314, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3401, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3402, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3403, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3404, art. 5, **Sch. 1**; (10.1.2000) by S.I. 1999/3405, art. 5, **Sch. 1**

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- S. 73 applied (with modifications): (1.2.2000) by S.I. 2000/8, art. 5, **Sch. 2**; (1.4.2000) by S.I. 2000/699, art. 5, **Sch. 1**; (3.4.2000) by S.I. 2000/722, art. 5, **Sch. 1**; (10.4.2000) by S.I. 2000/791, art. 5, **Sch. 1**; (1.9.2000) by S.I. 2000/2120, art. 5, **Sch. 1**; (4.9.2000) by S.I. 2000/2169, art. 5, **Sch. 1**; (2.10.2000) by S.I. 2000/2430, art. 5, **Sch. 1**; (8.10.2000) by S.I. 2000/2534, art. 5, **Sch. 1**; (30.10.2000) by S.I. 2000/1719, art. 5, **Sch. 1**; (13.11.2000) by S.I. 2000/2871, art. 5, **Sch. 3**; (15.1.2001) by S.I. 2000/3317, art. 5, **Sch. 1**
- S. 73 applied (with modifications): (23.1.2001) by S.I. 2001/1, art. 5, **Sch. 1**; (19.2.2001) by S.I. 2001/180, art. 5, **Sch. 1**; (1.4.2001) by S.I. 2001/787, art. 5, **Sch. 1**; (1.4.2001) by S.I. 2001/849, art. 5, **Sch. 1**; (2.4.2001) by S.I. 2001/894, art. 5, **Sch. 1**; (1.9.2001) by S.I. 2001/1427, art. 5, **Sch. 1**; (1.7.2001) by S.I. 2001/1789, art. 5, **Sch. 1**; (2.7.2001) by S.I. 2001/1855, art. 5, **Sch. 1**; (2.7.2001) by S.I. 2001/1856, art. 5, **Sch. 1**; (16.7.2001) by S.I. 2001/2272, art. 5, **Sch. 1**; (3.9.2001) by S.I. 2001/2818, art. 5, **Sch. 1**; (3.9.2001) by S.I. 2001/2819, art. 5, **Sch. 1**; (3.9.2001) by S.I. 2001/2883, art. 5, **Sch. 1**; (1.10.2001) by S.I. 2001/3058, art. 5, **Sch. 1**; (1.10.2001) by S.I. 2001/3059, art. 5, **Sch. 1**; (5.11.2001) by S.I. 2001/3397, art. 5, **Sch. 1**; (26.11.2001) by S.I. 2001/3565, art. 5, **Sch. 1**
- S. 73 applied (with modifications): (4.2.2002) by S.I. 2002/37, art. 5, **Sch. 1**; (25.2.2002) by S.I. 2002/126, art. 5, **Sch. 1**; (4.3.2002) by S.I. 2002/276, art. 5, **Sch. 1**; (25.3.2002) by S.I. 2002/421, art. 5, **Sch. 1**; (2.4.2002) by S.I. 2002/422, art. 5, **Sch. 1**; (5.6.2002) by S.I. 2002/1351, art. 5, **Sch. 1**; (5.6.2002) by S.I. 2002/1352, art. 5, **Sch. 1**; (1.7.2002) by S.I. 2002/1353, art. 5, **Sch. 1**; (1.7.2002) by S.I. 2002/1484, art. 5, **Sch. 1**; (1.7.2002) by S.I. 2002/1485, art. 5, **Sch. 1**; (1.7.2002) by S.I. 2002/1486, art. 5, **Sch. 1**; (1.7.2002) by S.I. 2002/1504, art. 5, **Sch. 1**; (15.7.2002) by S.I. 2002/1621, art. 5, **Sch. 1**; (S.) (1.10.2002) by S.S.I. 2002/398, art. 4, **Sch. 2** (as amended (1.4.2020) by The First-tier Tribunal for Scotland (Transfer of Functions of Parking Adjudicators) Regulations 2020 (S.S.I. 2020/95), reg. 1, sch. 2 para. 19(3) (with sch. 1)); (1.10.2002) by S.I. 2002/2012, art. 5, **Sch. 1**; (1.10.2002) by S.I. 2002/2183, art. 5, **Sch. 1**; (1.10.2002) by S.I. 2002/2184, art. 5, **Sch. 1**; (1.10.2002) by S.I. 2002/2185, art. 5, **Sch. 1**; (1.10.2002) by S.I. 2002/2186, art. 5, **Sch. 1**; (1.10.2002) by S.I. 2002/2187, art. 5, **Sch. 1**; (14.10.2002) by S.I. 2002/2188, art. 5, **Sch. 1**; (25.11.2002) by S.I. 2002/2705, art. 5, **Sch. 1**; (20.1.2003) by S.I. 2002/2520, art. 5, **Sch. 1**; (3.2.2003) by S.I. 2002/3265, art. 6, **Sch. 1**; (3.2.2003) by S.I. 2002/3266, art. 5, **Sch. 1**
- C2** Ss. 69-74 applied (with modifications) (17.2.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (District of Bath and North East Somerset) Order 2003 (S.I. 2003/95), arts. 1, 5, **Sch. 1** (with art. 3)
- C3** Ss. 69-74 applied (with modifications) (3.3.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Dorset) (Borough of Christchurch) Order 2003 (S.I. 2003/251), arts. 1, 5, **Sch. 1**
- C4** Ss. 69-74 applied (with modifications) (S.) (3.3.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Aberdeen City Council) Designation Order 2003 (S.S.I. 2003/70), arts. 1, 4, **sch. 2** (as amended (1.4.2020) by The First-tier Tribunal for Scotland (Transfer of Functions of Parking Adjudicators) Regulations 2020 (S.S.I. 2020/95), reg. 1, sch. 2 para. 18(3) (with sch. 1))
- C5** Ss. 69-74 applied (with modifications) (1.4.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Essex) (District of Basildon) Order 2003 (S.I. 2003/635), arts. 1, 5, **Sch. 1** (with art. 3)
- C6** Ss. 69-74 applied (with modifications) (1.4.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Essex) (District of Maldon) Order 2003 (S.I. 2003/634), arts. 1, 5, **Sch. 1** (with art. 3)
- C7** Ss. 69-74 applied (with modifications) (21.4.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Slough) Order 2003 (S.I. 2003/898), arts. 1, 5, **Sch. 1**
- C8** Ss. 69-74 applied (with modifications) (2.6.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Redcar and Cleveland) Order 2003 (S.I. 2003/1261), arts. 1, 5, **Sch. 1**
- C9** Ss. 69-74 applied (with modifications) (30.6.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Buckinghamshire)(District of Aylesbury Vale) Order 2003 (S.I. 2003/1262), arts. 1, 5, **Sch. 1**

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- C10** Ss. 69-74 applied (with modifications) (1.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area)(Borough of Swindon) Order 2003 (S.I. 2003/1924), arts. 1, 5, **Sch. 1**
- C11** Ss. 69-74 applied (with modifications) (1.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Middlesbrough) Order 2003 (S.I. 2003/1984), arts. 1, 5, **Sch. 1**
- C12** Ss. 69-74 applied (with modifications) (22.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (City of Peterborough) Order 2003 (S.I. 2003/2153), arts. 1, 5, **Sch. 1** (with art. 3)
- C13** Ss. 69-74 applied (with modifications) (29.9.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Cumbria) (Borough of Copeland) Order 2003 (S.I. 2003/2152), arts. 1, 5, **Sch. 1** (with art. 3)
- C14** Ss. 69-74 applied (with modifications) (6.10.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Hertfordshire) (Borough of Dacorum) Order 2003 (S.I. 2003/2326), arts. 1, 5, **Sch. 1** (with art. 3)
- C15** Ss. 69-74 applied (with modifications) (13.10.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Cumbria) (Borough of Allerdale) Order 2003 (S.I. 2003/2334), arts. 1, 5, **Sch. 1** (with art. 3)
- C16** Ss. 69-74 applied (with modifications) (20.10.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Hampshire) (Borough of Test Valley) Order 2003 (S.I. 2003/2336), arts. 1, 5, **Sch. 1** (with art. 3)
- C17** Ss. 69-74 applied (with modifications) (1.11.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Essex) (District of Harlow) Order 2003 (S.I. 2003/2440), arts. 1, 5, **Sch. 1** (with art. 3)
- C18** Ss. 71-74 applied (with modifications) (10.11.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackpool) Order 2003 (S.I. 2003/2677), arts. 1, 5, **Sch. 1** (with art. 3)
- C19** Ss. 69-74 applied (with modifications) (17.11.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of Wirral) Order 2003 (S.I. 2003/2711), arts. 1, 5, **Sch. 1**
- C20** Ss. 69-74 applied (with modifications) (1.2.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area)(County of Carmarthenshire) Order 2004 (S.I. 2004/104), arts. 1, 4, **Sch. 1**
- C21** Ss. 69-74 applied (with modifications) (2.2.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Bedfordshire) (Districts of Mid-Bedfordshire and South Bedfordshire) Order 2004 (S.I. 2004/13), arts. 1, 5, **Sch. 1** (with art. 3)
- C22** Ss. 69-74 applied (with modifications) (1.4.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Dundee City Council) Designation Order 2004 (S.S.I. 2004/87), arts. 1, 4, **sch. 2** (as amended (1.4.2020) by The First-tier Tribunal for Scotland (Transfer of Functions of Parking Adjudicators) Regulations 2020 (S.S.I. 2020/95), reg. 1, sch. 2 para. 17(3) (with sch. 1))
- C23** Ss. 69-74 applied (with modifications) (26.4.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Surrey) (District of Mole Valley) Order 2004 (S.I. 2004/914), arts. 1, 5, **Sch. 1** (with art. 3)
- C24** Ss. 69-74 applied (with modifications) (1.6.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of Wigan) Order 2004 (S.I. 2004/1305), arts. 1, 5, **Sch. 1**
- C25** Ss. 69-74 applied (with modifications) (1.6.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Surrey) (Borough of Reigate and Banstead) Order 2004 (S.I. 2004/1285), arts. 1, 5, **Sch. 1** (with art. 3)
- C26** Ss. 69-74 applied (with modifications) (1.6.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Surrey) (Borough of Guildford) Order 2004 (S.I. 2004/1278), arts. 1, 5, **Sch. 1** (with art. 3)
- C27** Ss. 69-74 applied (with modifications) (1.7.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Denbighshire) Order 2004 (S.I. 2004/1608), arts. 1, 5, **Sch. 1** (with art. 3)

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*Changes to legislation: There are currently no known outstanding effects
for the Road Traffic Act 1991, Section 73. (See end of Document for details)*

- C28** Ss. 69-74 applied (with modifications) (4.7.2004 for specified purposes) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Metropolitan Borough of Rochdale) Order 2004 (S.I. 2004/1402), arts. 1, 5, **Sch. 1 paras. 2-5**
- C29** Ss. 69-74 applied (with modifications) (6.9.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Lancashire) Order 2004 (S.I. 2004/2028), arts. 1, 5, **Sch. 2** (with art. 3)
- C30** Ss. 69-74 applied (with modifications) (20.9.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of East Sussex) (District of Lewes) Order 2004 (S.I. 2004/2111), arts. 1, 5, **Sch. 1**
- C31** Ss. 69-74 applied (with modifications) (1.10.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Borough of Blackburn with Darwen) Order 2004 (S.I. 2004/2260), arts. 1, 5, **Sch. 1** (with art. 3)
- C32** Ss. 69-74 applied (with modifications) (1.10.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Hertfordshire) (City and District of St Albans) Order 2004 (S.I. 2004/2212), arts. 1, 5, **Sch. 1** (with art. 3)
- C33** Ss. 69-74 applied (with modifications) (1.10.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Hampshire) (Borough of Eastleigh) Order 2004 (S.I. 2004/2188), arts. 1, 5, **Sch. 1**
- C34** Ss. 69-74 applied (with modifications) (1.10.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Essex) (Tendring, Rochford, Uttlesford, Braintree and Castle Point) Order 2004 (S.I. 2004/2194), arts. 1, 5, **Sch. 1**
- C35** Ss. 69-74 applied (with modifications) (4.10.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Warwickshire) (District of Stratford on Avon) Order 2004 (S.I. 2004/2193), arts. 1, 5, **Sch. 1** (with art. 3)
- C36** Ss. 69-74 applied (with modifications) (11.10.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (County of Worcestershire) (District of Wychavon) Order 2004 (S.I. 2004/2263), arts. 1, 5, **Sch. 1** (with art. 3)
- C37** S. 73(11) extended (17.12.1996) by 1996 c. ix, **ss. 1(1)**, 6(2)
- C38** S. 73(13)-(15)(17)(18) amended (17.12.1996) by 1996 c. ix, **ss. 1(1)**, 6(3)
- C39** S. 73(13)-(15) amended (30.12.2003) by London Local Authorities and Transport for London Act 2003 (c. iii), s. 1(1), **Sch. 1 para. 10(3)**
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- C40** S. 73(15) excluded (17.12.1996) by 1996 c. ix, **ss. 1(1)**, 6(3)
- C41** S. 73(17) amended (30.12.2003) by London Local Authorities and Transport for London Act 2003 (c. iii), s. 1(1), **Sch. 1 para. 10(3)**
- C42** S. 73(18) amended (30.12.2003) by London Local Authorities and Transport for London Act 2003 (c. iii), s. 1(1), **Sch. 1 para. 10(3)**
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Commencement Information

- I1** S. 73 wholly in force at 1.10.1991 see s. 84(2) and S.I. 1991/2054, art. 3, **Sch.**

Marginal Citations

- M1** 1972 c. 70.
M2 1972 c. 70.
M3 1990 c. 41.

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Changes to legislation:

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