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STATUTORY INSTRUMENTS

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**1998 No. 3132**

**The Civil Procedure Rules 1998**

**[<sup>F1</sup>PART 75**

**TRAFFIC ENFORCEMENT**

**[<sup>F1</sup>Scope and interpretation**

**75.1.—(1) [<sup>F2</sup>Practice Direction 75]—**

- (a) sets out the proceedings to which this Part applies; and
- (b) may apply this Part with modifications in relation to any particular category of those proceedings.

[<sup>F3</sup>(<sup>F4</sup>Rule 21.1(1)(c)(i))] provides that Part 21 (children and protected parties) does not apply to proceedings under this Part where one of the parties is a child.])

(2) In this Part—

- (a) “the Centre” means the Traffic Enforcement Centre established under the direction of the Lord Chancellor;

[ “enforcement agent” has the meaning given in paragraph 2(1) of Schedule 12 to the  
<sup>F5</sup>(a1) Tribunals, Courts and Enforcement Act 2007;

- (a2) “local authority warrant of control” means a warrant of control issued by a local authority under article 5 of the 1993 Order;]

(b) “no relevant return to the warrant” means that—

- (i) the [<sup>F6</sup>enforcement agent] has been unable to seize goods because [<sup>F7</sup>the  
[<sup>F6</sup>enforcement agent]] has been denied access to premises occupied by the defendant or because the goods have been removed from those premises;

- (ii) any goods seized under a [<sup>F8</sup>local authority warrant of control] are insufficient to satisfy the debt and the cost of execution; or

(iii) the goods are insufficient to cover the cost of their removal and sale[<sup>F9</sup>;

- (c) “the 1993 Order” means the Enforcement of Road Traffic Debts Order 1993;

(d) “relevant period”, in relation to any particular case, means—

- (i) the period allowed for serving a statutory declaration [<sup>F10</sup>or witness statement] under any enactment which applies to that case; or

(ii) where an enactment permits the court to extend that period, the period as extended;

- (e) “specified debts” means the debts specified in article 2 of the 1993 Order or treated as so specified by any other enactment; and

(f) “the authority”, “notice of the amount due”, “order” and “the respondent” have the meaning given by [<sup>F11</sup>Practice Direction 75].]

*Status: Point in time view as at 22/04/2014.*

*Changes to legislation: There are currently no known outstanding effects for the  
The Civil Procedure Rules 1998, Section 75.1. (See end of Document for details)*

### Textual Amendments

- F1** Pt. 75 inserted (1.10.2002) by [The Civil Procedure \(Amendment\) Rules 2002 \(S.I. 2002/2058\)](#), rule 1(a), **Sch. 9**
- F2** Words in rule 75.1(1) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), **49(a)**
- F3** Words in rule 75.1(1) inserted (31.3.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2007 \(S.I. 2007/3543\)](#), rules 1(a), **9(a)(ii)**
- F4** Words in rule 75.1(1) substituted (6.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **35(b)(i)** (with rule 41)
- F5** Rule 75.1(2)(a1)(a2) inserted (6.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **35(b)(ii)** (with rule 41)
- F6** Words in rule 75.1(2)(b)(i) substituted (6.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **35(b)(iii)(aa)** (with rule 41)
- F7** Word in rule 75.1(2)(b)(i) substituted (31.3.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2007 \(S.I. 2007/3543\)](#), rules 1(a), **9(a)(iii)**
- F8** Words in rule 75.1(2)(b)(ii) substituted (6.4.2014) by [The Civil Procedure \(Amendment\) Rules 2014 \(S.I. 2014/407\)](#), rules 2(3), **35(b)(iii)(bb)** (with rule 41)
- F9** Rule 75.1(2)(b)(iii): semicolon substituted for full stop (31.3.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2007 \(S.I. 2007/3543\)](#), rules 1(a), **9(a)(iv)**
- F10** Words in rule 75.1(2)(d)(i) inserted (31.3.2008) by [The Civil Procedure \(Amendment No.2\) Rules 2007 \(S.I. 2007/3543\)](#), rules 1(a), **9(a)(v)**
- F11** Words in rule 75.1(2)(f) substituted (6.4.2010) by [The Civil Procedure \(Amendment No.2\) Rules 2009 \(S.I. 2009/3390\)](#), rules 1(2), **49(b)**

**Status:**

Point in time view as at 22/04/2014.

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 75.1.