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STATUTORY INSTRUMENTS

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**2001 No. 1388**

**The Civil Procedure (Amendment No. 2) Rules 2001**

**Amendments to the Civil Procedure Rules 1998**

**17. In CCR Order 48B—**

- (a) for the title substitute “Enforcement of traffic penalties”;
- (b) for “parking enforcement centre”, wherever it appears, substitute “traffic enforcement centre”;
- (c) in rule 1(1)—
  - (i) in sub-paragraph (a) delete “and”; and
  - (ii) at the end of sub-paragraph (b) insert—  
“; and
  - (c) increased penalty charges provided for in a charge certificate issued under paragraph 8 of Schedule 1 to the 1996 Act<sup>(1)</sup> (relating to a contravention or failure to comply with an order made under a provision referred to in section 4(2) of that Act reserving all or part of a carriageway of a road as a bus lane).”.
- (d) in rule 1(2)—
  - (i) for the definition of “order”, substitute—  
““order” means, as the case may be, an order made under—
    - (a) paragraph 7 of Schedule 6 to the 1991 Act<sup>(2)</sup>;
    - (b) paragraph 9 of Schedule 1 to the 1996 Act; or
    - (c) section 73 of the 1991 Act<sup>(3)</sup>.”;
  - (ii) for the definition of “relevant period”, substitute—  
““relevant period” means, as the case may be—
    - (a) the period of 21 days allowed for serving a statutory declaration by—
      - (i) paragraph 8(1) of Schedule 6 to the 1991 Act; or
      - (ii) paragraph 10(1)(c) of Schedule 1 to the 1996 Act; or
    - (b) where a longer period has been allowed pursuant to—
      - (i) paragraph 8(4) of Schedule 6 to the 1991 Act; or
      - (ii) paragraph 10(4) of Schedule 1 to the 1996 Act,  
that period.”;
  - (iii) in the definition of “specified debts”, delete “Part II”;

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(1) The [London Local Authorities Act 1996 \(c. ix\)](#); paragraph 8 of Schedule 1 was amended by paragraph 7 of Schedule 2 to the [London Local Authorities Act 2000 \(c. vii\)](#) and Schedule 1 is repealed by Schedule 31 to the [Transport Act 2000 \(c. 38\)](#) on such day as the Secretary of State may by order provide.

(2) The [Road Traffic Act 1991 \(c. 40\)](#).

(3) [1991 c. 40](#); section 73 was amended by the [Greater London Authority Act 1999 \(c. 29\)](#), section 283 and Schedule 34, Part VI.

- (iv) in the definition of “statutory declaration”, after “the 1991 Act” insert “or paragraph 10(2) of Schedule 1 to the 1996 Act, as the case may be”;
- (v) in the definition of “statutory declaration”, delete “and”; and
- (vi) at the end of the definition of “the 1991 Act”, insert—
  - “and;
  - “the 1996 Act” means the London Local Authorities Act 1996.”;
- (e) in sub-paragraph (a) of rule 1(4), after “London authority”, insert “(within the meaning of section 82(1) of the Road Traffic Act 1991(4))”;
- (f) in sub-paragraph (c) of rule 2(3) for “the parking attendant who issued the penalty charge notice believed”, substitute “it is claimed that”;
- (g) in rule 4—
  - (i) in paragraph (1), after “the 1991 Act” insert “and paragraphs 10(4) and (5)(d) of Schedule 1 to the 1996 Act”; and
  - (ii) in paragraph (2), after “the 1991 Act” insert “or paragraph 10(4) of the Schedule 1 to the 1996 Act”; and
- (h) in rule 5(7)—
  - (i) after “Schedule 6 to the 1991 Act”; and
  - (ii) after “Schedule 6” in sub-paragraph (c),  
insert “or, as the case may be, paragraph 10(5) of Schedule 1 to the 1996 Act”.

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(4) 1991 c. 40; the definition of “London authority” is substituted by the Greater London Authority Act 1999 (c. 29), section 287(2).