

2008 No. 1513

ROAD TRAFFIC, ENGLAND

**The Civil Enforcement of Parking Contraventions (England)
General (Amendment) Regulations 2008**

<i>Made</i>	- - - -	<i>11th June 2008</i>
<i>Laid before Parliament</i>		<i>12th June 2008</i>
<i>Coming into force</i>	- -	<i>3rd July 2008</i>

These Regulations are made by the Secretary of State for Transport in exercise of the powers conferred by sections 72, 73(3), 79 and 89 of the Traffic Management Act 2004(a) and by the Lord Chancellor in exercise of the powers conferred on him by sections 78 and 89 of that Act:

Citation and commencement

1. These Regulations may be cited as the Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2008 and shall come into force on 3rd July 2008.

Preliminary

2. The Civil Enforcement of Parking Contraventions (England) General Regulations 2007(b) shall be amended as follows.

Interpretation

3. In regulation 2, the following paragraph shall be inserted after paragraph (1)—

“(1A) References in these Regulations, except in regulation 6, to a “civil enforcement officer” include, in relation to parking contraventions in a civil enforcement area outside Greater London relating to a parking place provided or authorised under section 32(1)(a) or (b) of the Road Traffic Regulation Act 1984(c), a parking attendant appointed under section 63A of that Act.”

Evidence of contravention

4. For regulation 6 there shall be substituted—

(a) 2004 c. 18.

(b) S.I. 2007/3483.

(c) 1984 c. 27; section 63A was inserted by the Road Traffic Act 1991 (c. 40), section 44(1) and amended by the Greater London Authority Act 1999 (c. 29), section 289.

“Evidence of contravention

6.—(1) Subject to paragraph (2), a penalty charge shall not be imposed except on the basis of—

- (a) a record produced by an approved device; or
- (b) information given by a civil enforcement officer as to conduct observed by that officer.

(2) Paragraph (1) does not apply in relation to parking contraventions in a civil enforcement area outside Greater London relating to a parking place provided or authorised under section 32(1)(a) or (b) of the Road Traffic Regulation Act 1984.”

Signed by authority of the Secretary of State

9th June 2008

Rosie Winterton
Minister of State,
Department for Transport

Signed by authority of the Lord Chancellor

11th June 2008

Bridget Prentice
Parliamentary Under Secretary of State,
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (“the General Regulations”). *Regulation 3* of these Regulations amends regulation 2 of the General Regulations so that references in those Regulations (except regulation 6) to a “civil enforcement officer” include, in relation to parking contraventions in a civil enforcement area outside Greater London relating to a parking place provided or authorised under section 32(1)(a) or (b) of the Road Traffic Regulation Act 1984, a parking attendant appointed under section 63A of the Road Traffic Regulation Act 1984. *Regulation 4* amends regulation 6 of the General Regulations so as to disapply, as respects such contraventions, the requirement that a penalty charge is not to be imposed except on the basis of a record produced by an approved device or information given by a civil enforcement officer as to conduct observed by that officer.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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