
STATUTORY INSTRUMENTS

2022 No. 576

**The Civil Enforcement of Road Traffic Contraventions
(Representations and Appeals) (England) Regulations 2022**

PART 3

Representations and appeals in relation to the immobilisation of vehicles

Duties of an enforcement authority to which representations are made under regulation 8

9.—(1) This regulation applies where an enforcement authority receives representations under regulation 8.

(2) The enforcement authority may disregard any representations which it receives after the end of the period of 28 days beginning with the date on which the person making them (“R”) is informed under regulation 8(3) of their right to make representations under that regulation.

(3) If the representations are—

- (a) are made in accordance with regulation 8(5), and
- (b) are not disregarded by the enforcement authority under paragraph (2),

the authority must, within the period of 56 days beginning with the date on which the enforcement authority receives the representations (“the 56-day period”), comply with the requirement specified in paragraph (4).

(4) The requirements mentioned in paragraph (3) are that the enforcement authority must—

- (a) consider the representations and any supporting evidence which R provides, and
- (b) serve on R a notice of its decision (a “decision notice”) as to whether or not it accepts that—
 - (i) there are compelling reasons of the kind mentioned in regulation 8(5)(b), or
 - (ii) any of the grounds specified in regulation 8(6) apply.

(5) If the enforcement authority accepts that any of the grounds specified in regulation 8(6) apply, it must, when serving its decision notice, refund any sums that the person to whom the vehicle was released was required to pay under regulation 15 of the 2022 General Regulations.

(6) If the enforcement authority—

- (a) accepts there are compelling reasons of a kind mentioned in regulation 8(5)(b), but
- (b) if representations are also made that any of the grounds specified in regulation 8(6) apply, does not accept that any of the stated grounds apply,

the authority must refund the appropriate sums.

(7) For the purposes of paragraph (6) “the appropriate sums” means—

- (a) any sums that the person to whom the vehicle was released was required to pay under regulation 15 of the 2022 General Regulations, or
- (b) such of those sums as the enforcement authority considers appropriate.

Status: Point in time view as at 31/05/2022.

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(8) If the enforcement authority does not accept that there are compelling reasons of a kind mentioned in regulation 8(5)(b) or that any of the grounds specified in regulation 8(6) apply, the enforcement authority's decision notice must—

- (a) inform R of the right to appeal to an adjudicator under regulation 10,
- (b) indicate the nature of an adjudicator's power to award costs, and
- (c) describe the form and manner in which such an appeal is required to be made.

(9) If an enforcement authority fails to comply with the requirements specified in paragraph (4) within the 56-day period, it—

- (a) is to be deemed to have accepted the representations and to have served a decision notice to that effect, and
- (b) must refund any sums that the person to whom the vehicle was released was required to pay under regulation 15 of the 2022 General Regulations.

(10) Paragraphs (6), (8) and (9) do not require an enforcement authority to refund any sum to the extent (if any) to which it was properly paid.

Commencement Information

II Reg. 9 in force at 31.5.2022, see [reg. 1\(2\)](#)

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