
STATUTORY INSTRUMENTS

2022 No. 71

The Civil Enforcement of Road Traffic Contraventions
(Approved Devices, Charging Guidelines and
General Provisions) (England) Regulations 2022

PART 1

Preliminary

Interpretation

2. In these Regulations—

“the LGA 1972” means the Local Government Act 1972⁽¹⁾

“the RTRA 1984” means the Road Traffic Regulation Act 1984⁽²⁾;

“the TMA 2004” means the Traffic Management Act 2004;

“the 2007 General Regulations” means the Civil Enforcement of Parking (England) General Regulations 2007⁽³⁾;

“the 2022 Appeals Regulations” means the Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022⁽⁴⁾;

“adjudicator”, other than in regulation 36, means an adjudicator appointed, or treated as appointed, under regulation 16;

“the applicable date” means—

(a) in the case of a penalty charge notice served by virtue of regulation 10(2)(a), the last day of the period of 21 days beginning with the date on which the notice is served;

(b) in the case of any other notice, the last day of the period of 14 days beginning with the date on which the notice is served;

“applicable discount”, in relation to a penalty charge, means the amount, set in accordance with Schedule 9 to the TMA 2004, by which the charge is reduced if it is paid early⁽⁵⁾;

“applicable surcharge”, in relation to a penalty charge, means the amount, set in accordance with Schedule 9 to the TMA 2004, by which the charge is increased if it is not paid before a charge certificate is issued⁽⁶⁾;

“approved device” has the meaning given in regulation 4;

“charge certificate” means a statement to the effect that a penalty charge is increased by the amount of the applicable surcharge;

(1) 1972 c. 70.

(2) 1984 c. 27.

(3) S.I. 2007/3483, as amended by S.I. 2008/653 and 1513, 2009/478, 2015/561 and 1001, 2018/171 and 2020/548.

(4) S.I. 2022/XXXX.

(5) See in particular the guidelines in paragraph 1(2) of Schedule 3 (discounted level of penalty charge).

(6) See in particular the guidelines in paragraph 1(4) of Schedule 3 (surcharged level of penalty charge).

“civil enforcement officer”, in relation to a relevant road traffic contravention, means a civil enforcement officer⁽⁷⁾ provided by the authority which is the enforcement authority⁽⁸⁾ in relation to that contravention;

“the commencement date” means the day on which these Regulations come into force;

“enforcement notice”, other than in regulation 35, means—

- (a) a regulation 10 penalty charge notice, or
- (b) a notice to owner;

“immobilisation notice” has the meaning given in regulation 13(2);

“notice to owner”, other than in regulation 35, has the meaning given in regulation 20;

“notice of rejection” means a decision notice served by an enforcement authority under regulation 6(4)(b) of the Appeals Regulations which states that the enforcement authority does not accept the representations made under regulation 5 of those Regulations by the recipient of the enforcement notice to which those representations relate;

“OGL bus lane contravention” means a bus lane contravention within paragraph 6 of Schedule 7 to the TMA 2004 in a civil enforcement area outside Greater London;

“OGL moving traffic contravention” means a moving traffic contravention within paragraph 8 of Schedule 7 in a civil enforcement area outside Greater London;

“OGL parking contravention” means a parking contravention within paragraph 4 of Schedule 7 to the TMA 2004 (parking contraventions outside Greater London) in a civil enforcement area outside Greater London;

“owner”, in relation to a vehicle, includes a person who is to be treated as the owner of the vehicle by virtue of regulation 6;

“penalty charge”, other than in regulation 35, means a penalty charge relating to a relevant road traffic contravention and payable in accordance with regulation 6;

“penalty charge notice”, other than in regulation 35, means notice of a penalty charge;

“regulation 10 penalty charge notice” means a penalty charge notice served under regulation 10;

“relevant road traffic contravention” means—

- (a) a parking contravention within paragraph 2 of Schedule 7 to the TMA 2004 (parking contraventions relating to parking places in Greater London) in Greater London,
- (b) a parking contravention within paragraph 3 of that Schedule (other parking contraventions in Greater London) in a civil enforcement area in Greater London,
- (c) an OGL bus lane contravention,
- (d) an OGL moving traffic contravention, or
- (e) an OGL parking contravention;

“vehicle-hire firm” has the meaning given in section 66(8) of the Road Traffic Offenders Act 1988 (hired vehicles)⁽⁹⁾.

⁽⁷⁾ “Civil enforcement officer” has the meaning given in section 76 of the TMA 2004.

⁽⁸⁾ “Enforcement authority” is defined in Schedule 8 to the TMA 2004.

⁽⁹⁾ 1988 c. 53.