STATUTORY RULES OF NORTHERN IRELAND

1999 No. 410

ROAD TRAFFIC AND VEHICLES

Road Traffic (Traffic Wardens) Order (Northern Ireland) 1999

To be laid before Parliament under paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974

Made - - - -	*4th October 1999*
Coming into operation	*15th November 1999*

The Department of the Environment in exercise of the powers conferred on it by Article 44 of the Road Traffic Regulation (Northern Ireland) Order 1997(**1**) and of every other power enabling it in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Road Traffic (Traffic Wardens) Order (Northern Ireland) 1999 and shall come into operation on 15th November 1999.

(2) In this Order—

"the Order of 1996" means the Road Traffic Offenders (Northern Ireland) Order 1996(**2**); and

"the Order of 1997" means the Road Traffic Regulation (Northern Ireland) Order 1997.

Functions of traffic wardens

2.—(1) The functions set out in the Schedule are hereby specified for the purpose of Article 44(1) of the Order of 1997.

(2) For the purpose of the discharge by traffic wardens of the functions set out in the Schedule, references to a constable or a constable in uniform in Articles 177, 179, 180(1) to (3A), (4AB) and (7) of the Order of 1981(**3**), Articles 49 and 50 of the Order of 1995(**4**), Articles 47, 48 (in so far as it applies to vehicles to which Article 47(1) applies) and 57 of the Order of 1997 shall include references to a traffic warden.

(3) For the purpose of the discharge by traffic wardens of the functions set out in the Schedule, any power of a constable for the purposes of Article 177 (in so far as it applies to the furnishing

(**1**) S.I.1997/276 (N.I. 2); see Article 2(2) for the definition of "the Department"
(**2**) S.I. 1996/1320 (N.I. 10)
(**3**) Article 177 was amended by Schedule 3 to S.I. 1996/1320 (N.I. 10) and Schedule 8 to S.I. 1997/276 (N.I. 2); Article 179 was amended by Schedule 3 to S.I. 1995/2994 (N.I. 18); Article 180 was amended by Schedule 3 to S.I. 1995/2994 (N.I. 18) and Schedule 3 to S.I. 1996/1320 (N.I. 10)
(**4**) Articles 49 and 50 were substituted by Schedule 8 to S.I. 1997/276 (N.I. 2)

of names and addresses), Article 179 (identification of pedestrians), Article 180(2) to (3A) of the Order of 1981 (examination of licences and requirement to state date of birth) and Article 57 of the Order of 1997 (enforcement powers with regard to disabled person's badge) shall be exercisable by a traffic warden if the traffic warden has reasonable cause to believe that there has been committed—

(a) in respect of Article 177 of the Order of 1981 an offence under the following provisions and the use of the power in Article 177 in relation to these offences is hereby authorised—

(i) Article 180(1) of the Order of 1981 (failure to stop when so required);

(ii) section 33(1) of the Vehicle Excise and Registration Act 1994(**5**) (not exhibiting licence);

(iii) Article 32 of the Order of 1995(**6**) (leaving vehicles in dangerous positions);

(iv) Article 49 of the Order of 1995 (contravention of directions);

(v) Article 50 of the Order of 1995 (contravention of traffic signs);

(vi) Article 58 of the Order of 1995 (breach of construction and use requirements with respect to lighting equipment and reflectors);

(vii) Article 4 of the Order of 1997 (contravention of traffic regulation order);

(viii) Article 5 of the Order of 1997 (contravention of experimental traffic control scheme);

(ix) Article 7 of the Order of 1997 (contravention of temporary prohibition or restriction);

(x) Article 14(1) of the Order of 1997 (contravention of order as to use of parking place);

(xi) Article 19(1) of the Order of 1997 (certain contraventions of order relating to designated parking place by driver);

(xii) Article 19(3) of the Order of 1997 (other contraventions of order relating to designated parking place by driver or person);

(xiii) Article 56 of the Order of 1997 (wrongful use of disabled person's badge); and

(xiv) Article 59 of the Order of 1997 (with respect to causing a vehicle, or any part of it, to stop in contravention of regulations relating to pedestrian crossings);

(b) in respect of Article 179 of the Order of 1981 an offence under—

(i) Article 49 (contravention of directions) of the Order of 1995; or

(ii) Article 50 (contravention of traffic signs) of the Order of 1995;

(c) in respect of Article 180(2), (3) and (3A) of the Order of 1981 an offence under—

(i) Article 32 of the Order of 1995 (leaving vehicles in dangerous positions); or

(ii) Article 59 of the Order of 1997 (with respect to causing a vehicle, or any part of it, to stop in contravention of regulations relating to pedestrian crossings);

(d) in respect of Article 57 of the Order of 1997 an offence—

(i) in contravention of any provision of an order under the Order of 1997 relating to the parking of motor vehicles; or

(ii) under Article 56 of the Order of 1997 (wrongful use of disabled person's badge).

Revocation

3. The Road Traffic (Traffic Wardens) Order (Northern Ireland) 1976(**7**) is hereby revoked.

(**5**) 1994 c. 22
(**6**) Article 32 was amended by Schedule 3 to S.I. 1996/1320 (N.I. 10)
(**7**) S.R. 1976 No. 45