1976 No. 45

ROAD TRAFFIC AND VEHICLES

Road Traffic (Traffic Wardens) Order (Northern Ireland) 1976

Made . . . . . *10th February* 1976

Coming into operation . . . *1st April* 1976

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

The Department of the Environment for Northern Ireland in exercise of the powers conferred by section 102 of the Road Traffic Act (Northern Ireland) 1970(a) (hereinafter referred to as "the Act") and now vested in it(b) and of every other power enabling it in that behalf hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Road Traffic (Traffic Wardens) Order (Northern Ireland) 1976 and shall come into operation on 1st April 1976.

Functions of traffic wardens

2.—(1) The functions set out in the Schedule are hereby prescribed, for the purpose of authorising their discharge by traffic wardens under section 102 of the Act, as being functions in connection with the control and regulation of, or the enforcement of the law relating to, traffic (including pedestrians) or vehicles on roads or other public places.

(2) For the purpose of the discharge by traffic wardens of the functions set out in the Schedule, references to a constable in sections 137, 154, 155 and 156(1A) of the Act and the reference to a member of the Royal Ulster Constabulary in section 27(1)(*a*) of the Vehicles (Excise) Act (Northern Ireland) 1972(c) 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, references to a constable in section 153 of the Act shall, in so far as it applies to the furnishing of names and addresses, include references to a traffic warden if the traffic warden has reasonable cause to believe that there has been committed an offence—

(*a*) under section 40 of the Act (failure to comply with requirements as to lighting of vehicles);

(*b*) in respect of a vehicle by its waiting, or being left parked, or being loaded or unloaded, in a road;

(*c*) under section 137 or 156(1A) of the Act (contravention of traffic directions and power of police to stop vehicles);

(*d*) under section 98 of the Act (offences relating to parking places on roads where charges made);

(*e*) under section 12(4) of the Vehicles (Excise) Act (Northern Ireland) 1972 (exhibition of licences);

(a) 1970 c. 2 (N.I.) as amended by 1970 c. 9 (N.I.) and S.I. 1973/1229 (N.I. 17)
(b) S.R. & O. (N.I.) 1973 No. 504 (II, p. 2992)
(c) 1972 c. 10 (N.I.)

(*f*) under any provision of Part II of the Act or of any order or byelaw made thereunder, being a provision—

(i) as to the route to be followed by vehicles of the class to which that vehicle belongs; or

(ii) as to roads which are not to be used by such vehicles; or

(iii) as to the places where such vehicles may not turn so as to face in the opposite direction to that in which they were proceeding or as to the conditions under which such vehicles may so turn.

(4) References in section 156(1) and (2) of the Act to a constable shall include references to a traffic warden only where he has reasonable cause to believe that there has been committed an offence in respect of a vehicle by its waiting, or being left or parked, or being loaded or unloaded, in a road.

Revocation

3. The Road Traffic (Functions of Traffic Wardens) Order (Northern Ireland) 1966(**d**) is hereby revoked.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 10th February 1976.

(L.S.) *B. D. Palmer*
Assistant Secretary

(**d**) S.R. & O. (N.I.) 1966 No. 171 (p. 553)