



2011 CHAPTER 23

PART 3

LITTER

Shopping and luggage trolleys

Abandoned shopping and luggage trolleys

24.—(1) Schedule 1 to the [Litter \(Northern Ireland\) Order 1994 \(NI 10\)](#) (abandoned shopping and luggage trolleys) is amended as follows.

(2) In paragraph 3(2), for the words “seized or removed” substitute “seized and removed”.

(3) After paragraph 3 insert—

“**3A.—**(1) This paragraph applies where the district council is entitled to sell or otherwise dispose of a shopping or luggage trolley in accordance with paragraph 3(1)(b).

(2) If it appears to the council that a particular person is the owner of the trolley, the council may charge him a sum in respect of the removal, storage and disposal of the trolley.

(3) The charge is payable to the council on demand.

(4) The sum payable as a charge under this paragraph is recoverable by the council as a debt due to it.

(5) In proceedings against a person under sub-paragraph (4) for enforcement of a charge, it is a defence for the person to prove that he was not the owner of the trolley to which the charge relates at the time it was removed.”.

- (4) In paragraph 4—
- (a) in sub-paragraph (1)—
- (i) for the words from “in fixing” to “sufficient” substitute “in fixing the charges to be paid under this Schedule, shall secure that the charges so payable are such as are sufficient”, and
- (ii) for the words “such trolleys” substitute “shopping or luggage trolleys”, and
- (b) in sub-paragraph (2), after the words “paragraph 3” insert “or 3A”.
- (5) In paragraph 5, after the words “In this Schedule—” insert—
- ““authorised officer”, in relation to a district council, means an officer of a district council authorised in writing by the council for the purposes of exercising functions under this Schedule;”.