
STATUTORY INSTRUMENTS

1970 No. 1958

The Functions of Traffic Wardens Order 1970

1.—(1) This Order may be cited as the Functions of Traffic Wardens Order 1970 and shall come into operation on 1st January 1971.

(2) The Interpretation Act 1889 applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(3) The Functions of Traffic Wardens Order 1960(1) and the Functions of Traffic Wardens Order 1965(2) are hereby revoked.

(4) This Order shall not extend to Scotland.

2. In this Order—

“the Act of 1960” and “the Act of 1967” mean respectively the Road Traffic Act 1960 and the Road Traffic Regulation Act 1967;

“street parking place order” means an order made under the Act of 1967 relating to a street parking place;

“traffic order” means an order made under section 1, 5, 6, 9, 11 or 84A of the Act of 1967.

3.—(1) The functions set out in the Schedule to this Order are hereby prescribed as appropriate for discharge by traffic wardens.

(2) For the purposes of the discharge by traffic wardens of such functions, references to a constable or police constable in the following enactments shall include references to a traffic warden—

- (a) section 52 of the Metropolitan Police Act 1839 so far as it relates to the giving by the commissioner of directions to constables for preventing obstruction;
- (b) section 22 of the local Act of the second and third year of the reign of Queen Victoria, chapter 94, so far as it makes similar provision with respect to the City of London;
- (c) sections 14 and 15 of the Act of 1960 (drivers and pedestrians to comply with traffic directions given by police constables);
- (d) section 229 of the Act of 1960 (the power of constables to obtain the names and address of pedestrians failing to comply with traffic directions);
- (e) section 242 of the Act of 1960 and section 89 of the Act of 1967 (the giving of evidence of an admission by certificate).

(3) For the purposes of the discharge by traffic wardens of the functions set out in the Schedule to this Order, references in section 226(1) of the Act of 1960 to a police constable 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) in respect of a vehicle by its being left or parked on a road during the hours of darkness (as defined by the Road Transport Lighting Act 1957 without the lights or reflectors required by law;

(1) (1960 II, p. 2765).

(2) (1965 II, p. 3249).

- (b) in respect of a vehicle by its obstructing a road, or waiting, or being left or parked, or being loaded or unloaded, in a road;
 - (c) in contravention of section 14 of the Act of 1960;
 - (d) in contravention of a provision of the Vehicles (Excise) Act 1962;
 - (e) created by section 42 of the Act of 1967 (offences relating to parking places on highways where charges made).
- (4) References in section 225(1) and (4) of the Act of 1960 to a constable or police constable shall include references to a traffic warden only where—
- (a) the traffic warden is employed to perform functions in connection with the custody of vehicles removed from a road or land in the open air in pursuance of regulations made under section 20 of the Act of 1967 or from a parking place in pursuance of a street parking place order, and
 - (b) he has reasonable cause to believe that there has been committed an offence in respect of a vehicle by its obstructing a road, or waiting, or being left or parked, or being loaded or unloaded, in a road.

Whitehall
16th December 1970

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State
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