



STATUTORY INSTRUMENTS.

S.I. No. 54 of 2022



ROAD TRAFFIC (PRESCRIBED CHARGE – REMOVAL OF CLAMP)
REGULATIONS 2022

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I, EAMON RYAN, Minister for Transport, in exercise of the powers conferred on me by sections 5 and 101B(7) (inserted by section 32 of the Vehicle Clamping Act 2015 (No. 13 of 2015)) of the Road Traffic Act 1961 (No. 24 of 1961) (as adapted by the Transport, Tourism and Sport (Alteration of Name of Department and Title of Minister) Order 2020 (S. I. No. 351 of 2020) and the Justice and Equality) (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 452 of 2020)) after consultation with the Minister for Justice and the National Transport Authority, hereby make the following regulations:

1. (1) These Regulations may be cited as the Road Traffic (Prescribed Charge – Removal of Clamp) Regulations 2022.

(2) These Regulations come into operation on 1 March 2022.

2. In these Regulations “Act of 1961” means the Road Traffic Act 1961 (No. 24 of 1961).

3. The amount of €125 is prescribed as the charge for the removal of an immobilisation device for the purpose of section 101B(7)(a) of the Act of 1961.

4. The form of notice set out in the Schedule is prescribed for the purpose of section 101B(7)(b) of the Act of 1961.

5. Payment of the prescribed charge shall be made to a clamping officer as specified in the prescribed notice by payment card or cash.

6. The Road Traffic (Immobilisation of Vehicles) Regulations 2017 (S. I. No. 420 of 2017) are revoked.

SCHEDULE

Form of Clamping Notice

Alt 101B den Acht um Thrácht at Bhóithre 1961

Section 101B of the Road Traffic Act 1961

[Insert name of Local Authority (or An Garda Síochána)] [Cuir isteach ainm an Údaráis Áitiúil (nó ainm an Gharda Síochána)]

(Immobilisation of a vehicle parked in contravention of a prohibition or restriction imposed under section 35, 36 or 36A of the Road Traffic Act 1994) (Feithicil atá lotha de shárú ar shrian nó toirmeasc arna fhorchur faoi alt 35, 36 nó 36A den Acht um Thrácht ar Bhóithre 1994 a chur ó ghluaiseacht)

It is an offence for an unauthorised person to remove or interfere with this notice. Is cion é do dhuine neamhúdaraithe an fógra seo a thabhairt chun siúil nó cur isteach a dhéanamh air.

Notice Number [Insert Notice Number] Uimhir an Fhógra [Cuir isteach Uimhir an Fhógra]

Location [Insert location of vehicle] Ionad [Cuir isteach ionad na feithicle]

I.D. Mark [Insert vehicle registration] Marc Aitheantais [Cuir isteach uimhir chlárúcháin na feithicle]

Date [Insert date] Dáta [Cuir isteach an dáta]

Time [Insert time] Am [Cuir isteach an t-am]

having found to be parked [Insert Description of Offence] in contravention of a prohibition or restriction under section 35/36/36A [Delete as appropriate] of the Road Ós rud é go bhfuarthas an fheithicil ar a bhfuil an marc aitheantais atá taifeadta thuas lotha [Cuir isteach Tuairisc ar an gCion] de shárú ar shrian nó toirmeasc faoi alt

Traffic Act 1994 , the vehicle bearing the identification mark recorded above has been fitted with an immobilisation device by the undersigned being/acting under the direction of [Delete as appropriate], a clamping officer.

Arrangements will be made for the removal of the immobilisation device following payment by the owner of the vehicle (or person authorised by the owner) of the prescribed charge of €125

[Insert details of how payment may be made].

Warning No attempt should be made to drive this vehicle or otherwise put it in motion until the immobilisation device has been removed. It is an offence for a person to interfere with an immobilisation device affixed to a vehicle.

Right of Appeal: A person whose vehicle has been clamped in a clamping place or relocated within or from a clamping place may, following payment of the prescribed charge, appeal the decision to clamp or relocate the vehicle.

[Insert details of the appeal procedures]

Signed

35/36/36A [Scrios de réir mar is cuí] den Acht um Thrácht ar Bhóithre 1994, rinne an té thíos-sínithe, ar oifigeach teanntála é nó í/atá ag gníomhú de réir treorach ó oifigeach teanntála [Scrios de réir mar is cuí], feiste doghluaiseachta a fheistiú di.

Déanfar socruithe chun an fheiste doghluaiseachta a thabhairt chun siúil tar éis d'úinéir na feithicle (nó tar éis do dhuine atá údaraithe ag an úinéir) an muirear forordaithe €125 a íoc

[Cuir isteach mionsonraí i dtaobh conas a fhéadfar an íocaíocht a dhéanamh].

Rabhadh Ní ceart aon iarracht a dhéanamh an fheithicil seo a thiomáint nó a chur ag gluaiseacht ar shlí eile go dtí go ndéanfar an fheiste doghluaiseachta a thabhairt chun siúil. Is cion é do dhuine cur isteach a dhéanamh ar fheiste doghluaiseachta atá greamaithe d'fheithicil.

Ceart Achomhairc Aon duine a ndéantar a fheithicil nó a feithicil a theanntáil in áit teanntála nó a athshuíomh laistigh d'áit teanntála, nó uaithi, féadfaidh sé nó sí, tar éis an muirear forordaithe a íoc, achomharc a dhéanamh in aghaidh na breithe chun an fheithicil a theanntáil nó a athshuíomh.

[Cuir isteach mionsonraí faoi na nósanna imeachta maidir le hachomharc a dhéanamh]

Síniú



GIVEN under my Official Seal,
10 February, 2022.

EAMON RYAN,
Minister for Transport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations are made under sections 5 and 101B(7)(inserted by section 32 of the Vehicle Clamping Act 2015) of the Road Traffic Act 1961 and their purpose is to prescribe the amount of the charge to be paid for the removal of an immobilisation device, the form of the notice affixed to a clamped vehicle and the manner in which and the person to whom such charge shall be paid when a vehicle is clamped on a public road. The Regulations also revoke the previous Regulations.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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