

STATUTORY INSTRUMENTS

S.I. No. [•] of 2017

VEHICLE CLAMPING AND SIGNAGE REGULATIONS 2017

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VEHICLE CLAMPING AND SIGNAGE REGULATIONS 2017

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S.I. No. [•] of 2017

VEHICLE CLAMPING AND SIGNAGE REGULATIONS 2017

The National Transport Authority, in exercise of the powers conferred on it by sections 10, 11, 15 and 20 of the Vehicle Clamping Act 2015 (No. 13 of 2015), and with the consent of the Minister for Transport, Tourism and Sport, hereby makes the following regulations:

PART 1

PRELIMINARY AND GENERAL

Citation

1. These Regulations may be cited as the Vehicle Clamping and Signage Regulations 2017.

Commencement

2. These Regulations come into operation on [•], with the exception of Part 5, which comes into operation on [•].

Definitions and interpretation

3. (a) In these Regulations –

“Act” means the Vehicle Clamping Act 2015 (No. 13 of 2015);

“Act of 1961” means the Road Traffic Act 1961 (No. 24 of 1961);

“Act of 2005” means the Railway Safety Act 2005 (No. 31 of 2005);

“airport” means a State Airport (within the meaning of the State Airports Act 2004) or another airport for which the Minister may make bye-laws under section 15 of the State Airports Act 2004;

“authorised person” means a person or class of persons appointed under section 23 of the Act;

“clamp” means a device or appliance designed or adapted for fixing to a vehicle for the purpose of preventing it from being driven or otherwise put in motion;

“clamping” means fixing a clamp to a parked vehicle;

“clamping activities” means –

- (a) clamping,
- (b) removing a clamp from a vehicle,
- (c) relocating a vehicle, or

(d) imposing charges –

(i) as a condition for removing a clamp from a vehicle, or

(ii) in respect of the relocation of a vehicle;

“clamping information sign” means a sign provided at a clamping place, other than a public road, which contains the information referred to in Regulation 25 concerning clamping activities at that clamping place;

“clamping notice” means a notice affixed to a vehicle in accordance with section 13 of the Act;

“clamping operator” means a person who is authorised by a parking controller to carry out clamping activities on behalf of the parking controller and includes a clamping operator staff member and, in respect of clamping activities carried out under section 101B, includes a clamping officer (within the meaning of that section);

“clamping operator staff member” means an employee of a clamping operator engaged in clamping activities and includes any other person engaged by a clamping operator to carry out such activities on his or her behalf;

“clamping place” means a statutory clamping place or a non-statutory clamping place, or both, as the case may be;

“clamping symbol” means a symbol in the form and colours specified in Schedule 2;

“clamp release charge” means a charge for the removal of a clamp fixed to an unlawfully or a wrongfully parked vehicle;

“fishery harbour centre” has the meaning assigned to it in the Fishery Harbour Centres Act 1968;

“harbour” has the meaning assigned to it in the Harbours Act 1996;

“non-statutory clamping place” means a place, other than a statutory clamping place, where clamping activities are in operation;

“NTA” means the National Transport Authority;

“park”, in relation to a vehicle, has the meaning assigned to it in section 3 of the Act of 1961;

“parking controller”, in relation to a clamping place, means the person who as regards that clamping place is responsible for enforcement of the law or rules applicable to parking in that place, but does not include a member of An Garda Síochána or a traffic warden authorised in that behalf;

“pound” means a secure area, available to a parking controller or a clamping operator, where a vehicle, which has been found to be wrongfully or unlawfully parked in a clamping place, may be detained until payment of the relevant charge has been made;

“public road” has the meaning assigned to it by section 3 of the Act of 1961;

“relevant charge” means a clamp release charge or a relocation charge or both;

“relevant parking fee” means the charge or charges imposed by the parking controller for parking a vehicle in a clamping place which is a condition for parking a vehicle in that place;

“relocating”, in relation to a wrongfully or an unlawfully parked vehicle, means moving the vehicle from the place where it is parked (whether or not a clamp has been fixed to it before or after its relocation) to another place;

“relocation charge” means a charge for relocating an unlawfully or wrongfully parked vehicle to another place;

“section 101B” means section 101B (inserted by section 32 of the Act) of the Act of 1961;

“statutory body” means, as the case may be, an airport, Córas Iompair Éireann, the National Roads Authority (as the successor to the Railway Procurement Agency pursuant to the Roads Act 2015), a harbour or a fishery harbour centre or a body established under statute having charge of a clamping place specified under section 5 of the Act;

“statutory clamping place” means –

- (a) a public road where clamping activities are carried out in accordance with section 101B,
- (b) an airport where clamping activities are carried out under bye-laws made under section 15 (3)(o) of the State Airports Act 2004,
- (c) land belonging to or occupied by Córas Iompair Éireann where clamping activities are carried out under bye-laws made under section 22(1)(ee)(ii) (as inserted by section 34 (c) of the Act) of the Transport Act 1950,
- (d) a fishery harbour centre where clamping activities are carried out under bye-laws made under section 4 (2)(aa) (as inserted by section 35(a) of the Act) of the Fishery Harbour Centres Act 1968,
- (e) a harbour where clamping activities are carried out under bye-laws made under section 42 (1A)(b) (as inserted by section 36(c) of the Act) of the Harbours Act 1996,
- (f) a place where clamping activities are carried out under section 66A (as inserted by section 134 of the Act of 2005) of the Transport (Railway Infrastructure) Act 2001, and
- (g) such other places as may be specified by the Minister under section 5 of the Act where clamping activities are carried out under an enactment;

“traffic warden” has the meaning assigned to it in the Local Authorities (Traffic Wardens) Act 1975;

“unlawful”, in relation to a vehicle parked in a statutory clamping place, means a

vehicle that is parked in contravention of an enactment;

“vehicle” means a mechanically propelled vehicle (within the meaning of section 3 of the Act of 1961), a trailer or semi-trailer or a combination of two or more of them;

“wrongful”, in relation to a vehicle parked in a clamping place, means—

- (a) where the clamping place is a non-statutory clamping place, the vehicle is parked in contravention of the terms and conditions or restrictions or prohibitions applicable to parking in the place concerned, or
- (b) where the clamping place is a statutory clamping place under the control of a statutory body, the charge imposed for parking the vehicle, permitted to be fixed under an enactment, is not paid and the failure to pay the charge does not constitute a contravention of an enactment, and

“wrongfully” shall be interpreted accordingly.

- (b) In these Regulations -
 - (i) a reference to a Regulation is a reference to a Regulation of these Regulations unless it is indicated that reference to some other regulation is intended, and
 - (ii) a reference to a paragraph or subparagraph is a reference to the paragraph or subparagraph of the provision in which the reference occurs unless it is indicated that reference to some other provision is intended.

Power to make regulations

4. In these Regulations-

- (a) Part 1, as applicable, is made by the NTA in exercise of the powers conferred on it by sections 10, 11, 15 and 20 of the Act;
- (b) Regulation 7 is made by the NTA in exercise of the powers conferred on it by section 15 of the Act;
- (c) Regulation 16 is made by the NTA in exercise of the powers conferred on it by section 20 of the Act;
- (d) Except for Regulations 7 and 16, the Regulations contained in Part 2, Part 3, Part 4 and Schedule 1 are made by the NTA in exercise of the powers conferred on it by section 10 of the Act; and
- (e) the Regulations contained in Part 5 and Schedule 2 are made by the NTA in exercise of the powers conferred on it by section 11 of the Act.

PART 2

CLAMPING ACTIVITIES

Period of time for carrying out clamping and relocation

5. (a) Where a vehicle is wrongfully parked in a non-statutory clamping place due to the failure of the driver or the person in charge of the vehicle to pay the relevant parking fee or due to the expiry of the period permitted for parking by reference to the relevant parking fee paid:
- (i) a clamp may not be fixed to the vehicle,
 - (ii) the vehicle may not be relocated, or
 - (iii) both, as the case may be,
- until:
- (A) where the relevant parking fee has not been paid, ten (10) minutes following detection of the failure to pay the relevant parking fee; or
 - (B) where the period, for which the paid relevant parking fee applies, has expired, ten (10) minutes after the expiry of that period.
- (b) Where a vehicle is wrongfully parked in a non-statutory clamping place due to a breach or breaches of the terms and conditions or restrictions or prohibitions applicable to parking in the non-statutory clamping place concerned, other than such terms, conditions, restrictions or prohibitions falling within paragraph (a):
- (i) a clamp may be fixed to the vehicle,
 - (ii) the vehicle may be relocated, or
 - (iii) both, as the case may be,
- at any time after the detection of this breach or these breaches.
- (c) Where a vehicle is wrongfully parked or unlawfully parked in a statutory clamping place due to the failure of the driver or the person in charge of the vehicle to pay the relevant parking fee or due to the expiry of the period permitted for parking by reference to the relevant parking fee paid:
- (i) a clamp may not be fixed to the vehicle,
 - (ii) the vehicle may not be relocated, or
 - (iii) both, as the case may be,
- until:
- (A) where the relevant parking fee has not been paid, ten (10) minutes following detection of the failure to pay the relevant parking fee; or
 - (B) where the period, for which the paid relevant parking fee applies has expired, ten (10) minutes after the expiry of that period.

- (d) Where a vehicle is unlawfully parked in a statutory clamping place due to a breach or breaches of the terms and conditions or restrictions or prohibitions applicable to parking in the statutory clamping place concerned, other than such terms, conditions, restrictions or prohibitions falling within paragraph (c):
- (i) a clamp may be fixed to the vehicle,
 - (ii) the vehicle may be relocated, or
 - (iii) both, as the case may be,
- at any time after the detection of this unlawful parking.
- (e) (i) Where a vehicle is wrongfully parked or unlawfully parked in a clamping place solely due to a failure by the owner or person in charge of the vehicle to pay the relevant parking fee, such vehicle may not be relocated from the place where it is parked until the expiry of twenty four (24) hours from the time the wrongful parking was detected, except where:
- (A) within the previous twelve months, the vehicle had been clamped and that clamp was removed without authorisation; or
 - (B) a member of An Garda Síochána has requested a parking controller to relocate the vehicle.
- (ii) This paragraph (e) is without prejudice to, and shall not affect, any rights, remedies or entitlements arising under paragraphs (a), (b), (c) or (d).
- (f) This Regulation 5 shall not apply to any place falling within paragraph (a) of the definition of “statutory clamping place”.

Period of time for removal of clamp or release of vehicle

6. (a) Where payment of the clamp release charge has been made in accordance with Regulation 14, the clamping operator shall remove the clamp from the vehicle as soon as is practicable but not later than two hours following receipt of payment.
- (b) Where a vehicle has been relocated to a place where the owner of the vehicle cannot gain access to the vehicle, the vehicle shall be released or available for release, as soon as is practicable, but not later than one hour following receipt of payment of the relevant charge and the clamping operator shall facilitate the release of the vehicle to the owner.
- (c) Where the relevant charge applicable to a vehicle has been waived, the periods specified at paragraphs (a) and (b) shall apply to such vehicle from the time the decision to waive the relevant charge was made.
- (d) If, following payment of the relevant charge, a clamping operator fails to remove a clamp within the periods specified at paragraphs (a) and (b), the amount of the relevant charge shall be repaid by the clamping operator to the person who made the payment in the first instance and the clamp shall be removed at the earliest opportunity without further liability to the owner or the person in charge of the vehicle.

- (e) A clamping operator shall ensure that he has unimpeded access at all times to a clamping place where there is a clamped vehicle or a place where a vehicle has been relocated in order to comply with this Regulation.

Amount of relevant charge – non statutory clamping places

- 7. (a) The relevant charge which may be imposed in a non-statutory clamping place in respect of -
 - (i) the removal of a clamp from a wrongfully parked vehicle, or
 - (ii) the relocation of a wrongfully parked vehicle,may not exceed the following:
 - (A) where a vehicle has been clamped: €100;
 - (B) where a vehicle has been relocated within a clamping place: €50;
 - (C) where a vehicle has been relocated within a clamping place and clamped: €150; and
 - (D) where a vehicle has been relocated to a pound: €150 and an additional €50 in respect of each day (or part thereof) the vehicle is situated in the pound other than the day on which the vehicle was relocated to the pound and the charges contemplated in subparagraphs (A), (B) and (C) shall not apply.
- (b) The amounts set out in paragraph (a) shall be fully inclusive of all taxes (including valued added tax, if applicable), levies and charges.
- (c) No premium or additional fee for any reason may be applied in addition to the relevant charge as set out in this Regulation.

Access to relocated vehicle

- 8. (a) Where a vehicle has been relocated by a clamping operator in a non-statutory clamping place, other than to a location adjacent to, or within clear view of, where the vehicle was originally parked, the clamping operator shall:
 - (i) by telephone or by email, provide details of the relocation including the vehicle identification mark, the make, model and colour of the vehicle, the location from where the vehicle was removed and the location where the vehicle has been relocated, to An Garda Síochána at the station with responsibility for the district from which the vehicle was removed; and
 - (ii) when contacted by the owner or the person who was in charge of the vehicle in the period immediately prior to its relocation, inform that person of the current location of the vehicle.
- (b) Where notification is made in accordance with subparagraph (a)(i) by telephone, the clamping operator shall retain an audio recording of the telephone call and this recording shall be included in the clamping records as set out in Regulation 18.

Type of clamp

9. A clamp used in clamping activities shall be:
- (a) of sound metal construction and in good repair;
 - (b) coloured yellow; and
 - (c) constructed so as to be capable of being fitted and removed by a competent clamping operator without causing damage to the vehicle or injury to the clamping operator or other persons.

Evidence of unlawful or wrongful parking

10. (a) A clamping operator shall ensure that evidence of unlawful parking or wrongful parking is obtained at the time a clamp is fixed to a vehicle or the vehicle is relocated. Such evidence shall include clear colour photographs showing the vehicle so parked. At least one of these photographs shall show the full registration number of the vehicle. Cameras used in this procedure shall be capable of producing clear and legible photographs when taken during either daytime or night-time hours. All photographs shall include the date and time the image was taken.
- (b) A clamping operator may also obtain other evidence, including video or other recordings. All video or other recordings used as evidence of unlawful parking or wrongful parking shall include the date and time of recording.
- (c) Photographs, video or other recordings or other evidence may not be altered or changed in any way from their original condition.
- (d) All evidence obtained in respect of each instance of clamping activities shall be-
- (i) retained by the clamping operator in accordance with Regulation 18; and
 - (ii) available for consideration in the event of an appeal being made under Part 3 of the Act.

Means of identification of clamping operator

11. (a) A clamping operator staff member and a clamping operator, other than a member of An Garda Síochána or a traffic warden, shall, when acting as such -
- (i) each wear a distinctive high visibility uniform which shall conform to the following-
 - (A) bear the name of the clamping operator; and
 - (B) bear a staff identification number which is clearly visible at all times; and
 - (ii) each carry an identification card which shall contain-
 - (A) the name and contact details of the clamping operator;
 - (B) a passport-type full colour photograph of the clamping operator or clamping operator staff member, as the case may be;

- (C) the unique clamping operator or clamping operator staff member identification number, as the case may be; and
 - (D) the date of expiry or period of validity of the card.
- (b) A driver or person in charge of a vehicle which is the subject of clamping activities may request sight of a clamping operator staff member's identification card and the clamping operator staff member shall comply with this request.
- (c) A member of An Garda Síochána or a traffic warden or an authorised person may inspect a clamping operator staff member's identification card at any time when the clamping operator staff member is engaged in clamping activities and the clamping operator staff member shall facilitate such inspection.

Identification of clamping vehicle

12. (a) A vehicle used by a clamping operator for clamping activities shall bear markings which clearly indicate that the vehicle is used for clamping activities. Each such vehicle shall display on either side of the vehicle -
- (i) the name, contact details and website (if the clamping operator maintains a website) of the clamping operator such that these details are clearly legible to a person (satisfying the eyesight requirements in the Road Traffic (Licensing of Drivers) Regulations 2006) who is not less than five (5) metres from the vehicle; and
 - (ii) the words "Clamping Vehicle" or in the Irish language "Feithicil Clampála" or both, in black text with the text height being not less than two hundred (200) millimetres.
- (b) No:
- (i) logo signs, other than the logo of the parking controller and/or the clamping operator, or
 - (ii) signs of an advertising nature,
- may be displayed on a clamping vehicle, other than such signs as may have been provided by the motor manufacturer or the motor dealer company which originally marketed the vehicle, unless such other logos or signs have received prior approval from the NTA.

Form of clamping notice

13. (a) The form of a clamping notice, other than a notice being issued in respect of a vehicle being clamped under section 101B, shall be that set out in Schedule 1 to these Regulations.
- (b) A clamping notice issued in accordance with paragraph (a) shall be-
- (i) fully legible;
 - (ii) printed on water-proof material or be contained within a transparent water-proof envelope or covering when fixed to the vehicle in accordance with section 13 of the Act; and

- (iii) wholly contained in one sheet of paper or similar material.

Payment of relevant charge

- 14. (a) A clamping operator or, as the case may be, a parking controller shall make reasonable arrangements to enable a person whose vehicle has been clamped or relocated to make immediate payment of the relevant charge at any time.
- (b) A clamping operator or, as the case may be, a parking controller shall ensure that such payment may be made by not less than two of the following methods:
 - (i) payment card (such as credit card or debit card);
 - (ii) voucher payment system, where such voucher payment system has been approved by the NTA;
 - (iii) cash; and
 - (iv) such other method as may be approved by the NTA.
- (c) Where payment of the relevant charge is made by a payment card or by voucher payment system, no additional fee or charge for the making of the payment in that manner shall be imposed by the clamping operator or the parking controller, as the case may be.
- (d) Where arrangements have been made for the payment of the relevant charge by use of the telephone system, the clamping operator or, as the case may be, the parking controller shall ensure that the charge for the making of the telephone call shall not be greater than the charge for a local call of the same duration.

Penal regulations – clamping regulations

- 15. Each of Regulations 5, 6, 8, 9, 10, 11, 12, and 14 is hereby stated to be a penal provision for the purpose of section 10(4) of the Act.

PART 3

APPEALS

Procedures for appeal

16. (a) A person whose vehicle has been clamped or relocated by a parking controller and who wishes to appeal against that decision shall submit the appeal in written form or by electronic means to the parking controller within sixty (60) days from when the vehicle was first clamped or relocated.
- (b) An appeal against a decision to clamp or relocate a vehicle shall include details of the registration number of the vehicle and the date on which the vehicle was clamped or relocated.
- (c) A parking controller may refuse to consider any appeal which does not comply with paragraphs (a) and (b).

Provision concerning the charging of fee for making appeal to a parking controller

17. No fee or other charge whatsoever may be imposed by a parking controller for the making of an appeal in accordance with section 20 of the Act.

PART 4

KEEPING OF RECORDS AND PROVISION OF INFORMATION

Records

18. (a) A clamping operator shall maintain all records relating to:
- (i) the clamping operator's grant of authority from the parking controller to carry out clamping activities; and
 - (ii) all clamping activities undertaken by the clamping operator, (together, the "clamping records") for a period of three (3) years.
- (b) The clamping records shall include copies or originals, as the case may be, of all notices, photographs, details of signage, staff note books, video recordings, all records of payment, whether payment be made by electronic means or otherwise, correspondence with motorists and other members of the public relating to clamping activities, audio recordings of telephone calls to and from call centres and operational centres and other records that are reasonably considered to be clamping records by the NTA.
- (c) The clamping records may be held either electronically or in written form.
- (d) All clamping records held in written form by a clamping operator or a parking controller shall be kept in a secure manner and all electronic clamping records shall be adequately protected from unauthorised access or corruption.

Provision of information

19. (a) On request from the NTA or an authorised person, a parking controller shall make the following information available to the NTA or the authorised person -
- (i) a full list of all clamping places under his or her control, setting out details of their location and parking capacity (if any), relevant charge or charges applicable (if any) and other such information as may be reasonably requested;
 - (ii) evidence showing that the parking controller is the beneficial owner of a clamping place under his or her control or evidence showing that the parking controller is authorised by the owner to carry out clamping activities at that clamping place; and
 - (iii) all or specified records relating to clamping activities which took place in clamping places set out in subparagraph (i).
- (b) The NTA or an authorised person may require that records requested at subparagraphs (a)(i), (ii) and (iii) be provided by electronic or other specified means and the parking controller shall comply with this request.
- (c) A parking controller shall provide the records requested at subparagraphs (a)(i), (ii) and (iii) within fourteen (14) days of receipt of such request or within such other period in excess of fourteen (14) days which may be specified by or agreed with the NTA.

- (d) On request from the NTA or an authorised person, a clamping operator shall make available to the NTA or the authorised person specified records relating to clamping activities carried out by the clamping operator or his or her clamping operator staff members.
- (e) The NTA or an authorised person may require that records requested at paragraph (d) be provided by electronic or other specified means and the clamping operator shall comply with this request.
- (f) A clamping operator shall provide the records requested at paragraph (d) within fourteen (14) days of receipt of such request or within such other period in excess of fourteen (14) days which may be specified by or agreed with the NTA.
- (g) In the case where a record or document requested under this Regulation 19 is stored in non-legible form, the parking controller or the clamping operator, as the case may be, shall produce such record in legible form, within the prescribed period or other period as specified by or agreed with the NTA.

PART 5
SIGNAGE

Application of signage regulations

20. The requirements of this Part 5 shall apply to a clamping place other than a public road.

General requirements regarding clamping information and other related signs

21. (a) A parking controller, in respect of each clamping place for which he or she is the parking controller, shall provide and maintain such clamping information signs as are required under these Regulations.
- (b) All signs provided for the purposes of these Regulations shall –
- (i) be constructed to a good standard of workmanship;
 - (ii) be made of good quality, durable, weather resistant materials suitable for the location where the sign is, or is intended to be, located;
 - (iii) provide sufficient colour contrast between the text and its background to ensure legibility;
 - (iv) be maintained complete, in good condition and free from any significant blemish; and
 - (v) be maintained clean such that the text and information is visible at all times.
- (c) No sign in a clamping place shall contain any discriminatory, objectionable or offensive words or symbols.
- (d) All clamping information signs shall be located and positioned, in accordance with these Regulations, such that they are clearly visible to drivers of vehicles accessing or parking at a clamping place.

General entrance signage at parking locations

22. (a) A parking controller in relation to a clamping place for which he or she is the parking controller:
- (i) which provides parking upon payment of the relevant parking fee, or
 - (ii) which provides parking without the requirement to pay a relevant parking fee,

shall ensure that a sign is provided at each location which may be used for access by vehicles to that clamping place clearly stating in summary form the key terms, conditions, restrictions, prohibitions and charges which may be imposed, as the case may be, in connection with the parking of a vehicle at that clamping place.

- (b) The size and location of the sign or signs required under paragraph (a) shall be such that the information on each such sign is clearly visible to, and readable by a driver of

a vehicle who satisfies the eyesight requirements in the Road Traffic (Licensing of Drivers) Regulations 2006 while seated in the vehicle at the entry point to that clamping place or at any entry barrier beyond the entrance to that clamping place.

Entrance and pedestrian exit point clamping signage

23. (a) Subject to paragraphs (b) and (c), a clamping information sign shall be provided at a clamping place -
- (i) in the case of a road other than a public road, at or close to each intersection of that road and a public road, or another road, which is not a public road and which does not form part of the clamping place;
 - (ii) in the case of a multi-storey car park, at each vehicular entrance to the car park and at each pedestrian exit point from the car park;
 - (iii) in the case of a single-storey or surface car park where parking by members of the public is permitted, at each vehicular entrance to the car park and at each pedestrian exit point from the car park; and
 - (iv) other than a clamping place described in subparagraphs (i), (ii) or (iii), at each vehicular entrance to that clamping place and in accordance with Regulation 24.
- (b) Where there is no clearly defined entrance to a clamping place, a clamping information sign or signs, as the case may be, shall be provided at each location which may be used for vehicular access to the clamping place.
- (c) Where a clamping place provides parking, the clamping information sign may be combined with the signage required under Regulation 22(a) provided that the information required under Regulation 25(a) shall be no less visible in that combined sign than if a separate sign conforming to Regulation 25 had been provided.
- (d) Each clamping information sign placed at an entrance to a clamping place shall be positioned and oriented such that it is clearly visible to the driver (satisfying the eyesight requirements in the Road Traffic (Licensing of Drivers) Regulations 2006) of a vehicle entering the clamping place.

Additional sign locations

24. (a) In addition to the requirements of Regulations 22 and 23 and subject to paragraph (b), a parking controller, in respect of each clamping place for which he or she is parking controller, shall provide and maintain such additional clamping information signs throughout the clamping place as are necessary to provide a reasonable level of notice of the existence of clamping activities in that clamping place.
- (b) Each clamping information sign shall be positioned and oriented such that it is clearly visible to persons within the immediate area of the clamping place where the sign is located.

Details of clamping information signs

25. (a) A clamping information sign shall contain the following information -

- (i) the clamping symbol at a size of not less than one hundred (100) millimetres in height where the sign is located at an entrance to a clamping place and at a size of not less than seventy five (75) millimetres in height in all other circumstances;
 - (ii) notice that clamping activities are in operation at that location;
 - (iii) the name and contact details of the clamping operator;
 - (iv) summary details of the restrictions and prohibitions that apply at that clamping place;
 - (v) the clamp release charge (if any);
 - (vi) the relocation charge (if any); and
 - (vii) notice of any additional charges that may be payable in respect of a vehicle which has been relocated.
- (b) A clamping information sign situated at the entrance to a clamping place shall be not less than 0.5 metres x 0.5 metres or 0.25 metres squared in size.
- (c) A clamping information sign, other than a clamping information sign situated at an entrance to a clamping place, shall be not less than 0.4 metres x 0.4 metres or 0.16 metres squared in size.
- (d) The wording on a clamping information sign shall be in plain language and intelligible to a person reading the sign.
- (e) The information provided in accordance with subparagraphs (a) (ii), (iii), (iv), (v), (vi) and (vii) shall be displayed such that it is clearly readable by a person who satisfies the eyesight requirements in the Road Traffic (Licensing of Drivers) Regulations 2006.
- (f) Where an information sign is situated in a clamping place on 1st June 2017 and the sign complies with the requirements for a clamping information sign set out in this Regulation 25 other than in respect of the clamping symbol, such sign may be substituted for a clamping information sign subject to:
- (i) the approval by the NTA of the design and height of the symbol used on the sign as being an acceptable alternative to the clamping symbol; and
 - (ii) the sign being replaced by a sign which is fully compliant with this Regulation 25, including in respect of the clamping symbol on or before 1st January 2021.

SCHEDULE 1

Form of Clamping Notice

Section 13 of the Vehicle Clamping Act 2015

(Immobilisation of a vehicle parked in contravention of a prohibition or restriction imposed by a parking controller or owner of a clamping place)

Notice Number: *[insert unique reference or serial number]*

Location:

Date:

Time:

The vehicle bearing the identification mark *[insert vehicle identification mark]*, having been found at *[insert time of detection]* on *[insert date of detection]* to be parked *[state nature of parking contravention or contraventions]* in contravention of a prohibition or restriction or prohibitions or restrictions imposed by *[insert name of parking controller or owner of clamping place]*, has been fitted with a clamp by the undersigned in accordance with the provisions of the Vehicle Clamping Act 2015 and the Vehicle Clamping and Signage Regulations 2017.

Arrangements will be made for the removal of the clamp following payment by the owner of the vehicle (or person authorised by the owner) of the relevant charge of € *[insert charge]*
[set out steps to be taken to secure the removal of the clamp]

Signed: _____

[insert signature of clamping operator staff member]

Staff Number: _____

[insert staff number of clamping operator staff member]

Warning

No attempt should be made to drive this vehicle or otherwise put it in motion until the clamp has been removed.

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 relevant charge, appeal the decision to clamp or relocate the vehicle.

[insert details of the clamping operator's or parking controller's appeal procedures]

This notice may be removed only by the owner of the vehicle (or person authorised by the owner).

SCHEDULE 2

Clamping Symbol



Colour 1 = Pantone Black

Colour 2 = Pantone 116 C

Colour 3 = Pantone White

GIVEN under the seal of the National Transport Authority,
DD/MM/2017.

[NAME],
Chairperson, National Transport Authority.