



STATUTORY INSTRUMENTS.

S.I. No. [ • ] of 202[ • ]

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VEHICLE CLAMPING ACT 2015 (APPEALS PROCEDURE) REGULATIONS 2024

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The National Transport Authority, in the exercise of the powers conferred on it by sections 4, 10 and 22 of the Vehicle Clamping Act 2015 (No. 13 of 2015), having consulted with the Minister for Transport and having complied with the requirements of section 4(1) of the Vehicle Clamping Act 2015, hereby makes the following regulations:

Part 1

PRELIMINARY

*Citation*

1. These Regulations may be cited as the Vehicle Clamping Act 2015 (Appeals Procedure) Regulations 2024.

*Commencement*

2. These Regulations come into operation on [ • date].

*Interpretation*

3. In these Regulations -

“Act” means the Vehicle Clamping Act 2015;

“appellant” means a person who brings a section 22 appeal;

“letter of determination” means the written determination of an appeal by a parking controller under section 20(5) of the Act;

“section 22 appeal” means an appeal to a clamping appeals officer under section 22 of the Act.

Part 2

APPEALS TO THE CLAMPING APPEALS OFFICER

*Procedures for a section 22 appeal*

4.

- (1) A section 22 appeal shall be lodged in writing to the NTA, not later than 30 days after receipt of the letter of determination -
  - (a) by online form on the NTA website for the purposes of a section 22 appeal;
  - (b) by email to the email address specified on the NTA website; or
  - (c) by sending it by post to, or providing by hand at, the NTA’s principal office.
- (2) A section 22 appeal shall be accompanied by -
  - (a) the grounds of appeal;
  - (b) a copy of the letter of determination to which the section 22 appeal relates; and

- (c) such other copies of documents as the appellant wishes to submit in support of the section 22 appeal.
- (3) The clamping appeals officer may, for the purposes of determining a section 22 appeal, at any time request further information, whether written or oral, from the appellant, from the relevant parking controller or from the relevant clamping operator, or from each of them.
- (4) Where the clamping appeals officer makes a request under paragraph (3), the appellant, the relevant parking controller or the relevant clamping operator, as the case may be, shall provide the requested information no later than 10 calendar days after the date of the request.
- (5) Where it is considered necessary, the clamping appeals officer may examine, in person or in such other manner as the clamping appeals officer considers appropriate, the appellant, the parking controller, the relevant clamping operator, and any other person the clamping appeals officer considers appropriate

[Part 3

REVOCATIONS AND AMENDMENTS

- 5. The Vehicle Clamping and Signage Regulations 2017 (S.I. No. 421 of 2017) are amended –
  - (a) in Article 14(b), by the insertion of “(ia) electronic funds transfer;” after subparagraph (i); and
  - (b) by the substitution of the following for Article 14(c): “Where payment of the relevant charge is made or being made, no additional fee or charge for the making of the payment in any particular manner or by any particular means may be imposed by the clamping operator or by the parking controller, as the case may be.”

L.S.

GIVEN under the seal of the National Transport Authority on  
[ • ] 2024.

[INSERT NAME OF RELEVANT BOARD MEMBER OF THE NATIONAL TRANSPORT  
AUTHORITY],

Board Member, National Transport Authority.

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of [ • ], 2024..*

#### EXPLANATORY NOTE

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

The primary purpose of the Vehicle Clamping Act 2015 (Appeals Procedure) Regulations 2024 (the “Regulations”) is to prescribe the process for a person to make an appeal to a clamping appeals officer as stated in section 22 of the Vehicle Clamping Act 2015. The Regulations contain the procedures for an appeal, including the time periods allowed for appeals, the information and documents that must accompany an appeal and the extent to which the clamping appeals officer can investigate the appeal. The Regulations also contain a number of amendments to the Vehicle Clamping and Signage Regulations 2017.

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